

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48404 of 2019

Arising Out of PS. Case No.-379 Year-2018 Thana- SAHPUR District- Patna

1. SUBODH RAI, aged about 38 years, Male, Son of Sri Lal Babu Rai, Resident of Hatiyakandh, P.S.-Shahpur, District-Patna.
2. Lal Babu Rai, aged about 65 years, Male, Son of Late Kamala Prasad Rai, Resident of Hatiyakandh, P.S.-Shahpur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-10-2019 Heard both sides.

The petitioners apprehend their arrest in Shahpur P.S.
Case No.379 of 2018, registered under Sections 341, 323, 307, 379,
506 and 34 of the Indian Penal Code.

The informant filed complaint petition on 12.12.2018 for
the occurrence said to have taken place on 08.12.2018 and alleged
that both the petitioners assaulted the informant causing injury on his
head and other parts of the body.

Learned counsel for the petitioners submits that the
informant attached the injury report with the complaint petition
which itself shows that there was stitch and Belladonna was applied
on his injury. The informant was discharged from the hospital on the
same day and this fact itself shows the falsity of the allegation. The



petitioner no.1 lodged Shahpur P.S. Case No.372 of 2018 on 08.12.2018 against Aklesh Rai, Ranjeet Rai, the informant of the present case, Sanjeet Rai and Sudarshan Rai. The informant in order to save his own skin lodged the complaint case after four days of the occurrence.

Taking into consideration the facts that the occurrence is said to have taken place on 08.12.2018 and on the same day the petitioner no.1 lodged Shahpur P.S. Case No.372 of 2018 against the informant Ranjeet Rai and others under Sections 307, 379 and other sections of the Indian Penal Code but the informant of the present case lodged the present complaint case on 12.12.2018 making allegation that the petitioners assaulted him causing injury on his head, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Danapur in connection with Shahpur P.S. Case No.379 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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