

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53511 of 2019

Arising Out of PS. Case No.-240 Year-2018 Thana- BARAULI District- Gopalganj

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1. MANOJ RAM S/o Ramdas Ram R/o village- Belsand Balua Tola, P.S.- Barouli, District- Gopalganj
 2. Ramdas Ram S/o Late Moti Ram R/o village- Belsand Balua Tola, P.S.- Barouli, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Barouli Police Station Case No. 240 of 2018, disclosing offences under Sections 147/148/341/452/326/307/34 of the Indian Penal Code.

The allegation against the petitioners, as per the First Information Report, instituted under Section 156 (3) of the Code of Criminal Procedure, 1973, is that the petitioner no. 1 assaulted the informant by means of farsha on his head and petitioner no. 2 assaulted him by means of knife.

Learned Counsel for the petitioners submits that the



petitioners have falsely been implicated in this case based upon a concocted story inasmuch as for the offence alleged to have been committed by the petitioners on 26.05.2018, the complaint was filed on 22.06.2018, which was converted into First Information Report on 12.10.2018. He further submits that both the parties are co-sharers and the father of petitioner no. 1 has lodged Barouli Police Station Case No. 130 of 2018 against the informant and others for an incident alleged to have taken place on 26.05.2018. He further submits that as an afterthought and with mala fide intention, the present case has been filed. He further submits that the prescription regarding treatment given to the victims have been made part of the First Information Report lodged by the informant and from perusal of the same, it appears that no apparent injury has been caused to the victims.

After having heard learned Counsel for the parties and taking into consideration the fact that the parties are co-sharers, there is case and counter case, the complaint has been filed after a delay of 28 days and the injuries caused to the victims are not serious in nature, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 14th Additional Chief Judicial Magistrate, Gopalganj, in connection with Barouli Police Station Case No. 240 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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