

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54897 of 2019

Arising Out of PS. Case No.-233 Year-2019 Thana- BEUR District- Patna

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AJAY RAI, Son of Mukundi Rai, Resident of Village - Nirpura, P.S.- Beur,
Distt - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of **Beur P.S. Case No. 233 of 2019**, disclosing the offences under Sections 341, 323, 324, 325, 308, 379, 504 and 506/34 of the Indian Penal Code.

There is allegation against the petitioner that he in the state of consuming Alcohol, entered into the informant's house and assaulted his elder brother with the help of other accused persons who are named in the First Information Report.

On perusal of the First Information Report, it transpires that there is allegation of snatching of certain amount of money and driving license of the informant which is not specific against the persons named in the First Information



Report. All the persons named in the First Information Report, are full brothers.

Learned counsel appearing on behalf of the petitioner has submitted that because of certain local disputes, the accused persons have been falsely implicated. The injuries have been found to be simple in nature.

Learned counsel appearing on behalf of the informant has opposed the prayer for anticipatory bail and has contended that there being specific allegation against the petitioner of having entered into the informant's house, assaulted his brother, he is not entitled to privilege of anticipatory bail.

Be that as it may, considering the fact that the injuries have been found to be simple in nature and the petitioner has no criminal antecedent, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Patna**, in connection with **Beur P.S. Case No. 233 of 2019**, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall



present himself before the Police/Court, as the case may be, as
and when required and in the event of failure on his part to
appear before the court on two consecutive occasions, his bail
Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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