

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56038 of 2019

Arising Out of PS. Case No.-484 Year-2019 Thana- BIHTA District- Patna

1. RAMJEE RAI Son of Late Ramautar Rai
2. Ishu Kumar Son of Ramjee Rai
Both Residents of Village - Goriya Dera, P.S.- Bihta, District - Patna.
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajanan Mishra
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-09-2019 The petitioners apprehend their arrest in connection with
Bihta P. S. Case No. 484 of 2019 registered under Sections
307,323,324,341,379 and 447/34 of the Indian Penal Code.

Allegation against the petitioners, as per FIR, is that on
the day of occurrence, while the informant was sleeping in his
Dalan, petitioners and others assaulted the informant by means
of iron rod, *Garasa*, *Hasua* etc. and also snatched away golden
chain from his neck.

Learned counsel appearing on behalf of the petitioners
submits that both parties are neighbour and there is previous
enmity between them inasmuch as wife of petitioner no. 1 has
lodged Bihta P.S.Case No. 872 of 2017 against the informant
and others and also Bihta P.S.Case No. 1110 of 2018 against the
informant and others and due to which present FIR has been



lodged based upon concocted story. Learned counsel relying upon Annexure-2 submits that the doctor, who has examined the informant at PMCH, has not found any serious injuries on the person of the informant.

After having heard learned counsel for the parties and taking into consideration the fact that both parties are neighbour and there is previous enmity between them and no serious injuries has been brought on record by the prosecution, as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned ACJM, Danapur in connection with Bihta P.S.Case No. 484 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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