

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57077 of 2019**

Arising Out of PS. Case No.-321 Year-2019 Thana- NAUBATPUR District- Patna

1. Tola Sao @ Satyanand Sao Son of Late Ram Girahi Sao
2. Sateyndra Sao @ Satendra Kumar Son of Late Ram Girhi Sao  
Both are residents of Village - Ghanshyampur, P.S.- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      09-09-2019                      Heard learned counsel for the petitioners and learned  
APP representing the State.

The petitioners apprehend their arrest in connection  
with Naubatpur P.S. Case No. 321 of 2019, registered under  
Sections 341/323/308/504/34 of the Indian Penal Code.

The allegation against the petitioners, as per FIR, is  
that petitioners along with co-accused Chandan Kumar  
assaulted his son by means of *lathi*, due to which he sustained  
injury.

Learned counsel for the petitioners submits the  
petitioners have falsely been implicated in this case, merely on  
the basis of the fact that petitioner no.1 is father of Chandan



Kumar and petitioner no.2 is brother of Chandan Kumar. He further submits that from perusal of FIR, it would be evident that allegation of assault by mean of *lathi* upon informant is upon Chandan Kumar and no overt act has alleged against the petitioners.

After having heard learned counsel for the parties and taking into consideration the fact that no overt act has been alleged against the petitioners and there is case and counter case bearing Naubatpur P.S. Case No.320 of 2019, which has lodged prior to the present case, I am inclined to grant anticipatory bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Danapur in connection with Naubatpur P.S. Case No. 321 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Anil Kumar Sinha, J)**

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