

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79210 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- RAJEPUR District- East Champaran

1. RAMESH RAI Son of Late Radhe Rai @ Late Radna Ray @ Late Radha Ray
2. Sanjay Rai Son of Babu Lal Rai, both Resident of Village - Tajpur Saraiya, P.S.- Rajepur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504 and 506/34 of the Indian Penal Code.

During occurrence of assault, the petitioners allegedly caused injury at the head of Nagina Devi. However, the Doctor has found single injury at the head of Nagina Devi, simple in nature.

Submission is that the medical report belies the prosecution allegation that both had caused injury at the head and it is difficult as to which of the petitioners had caused injury at the head of Nagina Devi.



Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Rajepur Police Station Case No. 23 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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