

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.867 of 2020**

Arising Out of PS. Case No.-94 Year-2018 Thana- CHAND District- Kaimur (Bhabua)

1. RAKESH PRAJAPATI, Son of Deonath Prajapati @ Deonath Kumhar
2. Deonath Prajapati @ Devnath Kumhar, Son of Late Badri Kumhar,
Both Residents of Village - Sendura, P.S. - Chand, District - Kaimur
(Bhabhua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Shankar Sahay, Adv.
	:	Mr. Rakesh Kumar Mishra, Adv.
For the Opposite Party/s	:	Mr.Rajiv Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 25-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 504, 506 of the Indian Penal Code.

In the written report, it is alleged that on the date of occurrence Dev Nath Kumar assaulted informant with Khanti on the head causing cut injury. Thereafter, petitioner no. 1 assaulted the father of the informant with Tangi, which hit by the side of head of the informant. It is further alleged that petitioner no. 2 assaulted the father of the informant with Lobhand, which hit on his hand due to which he sustained fracture injury. Injury report of father of the informant is available in the case diary, wherein, doctor has found injury no. iii swelling and tenderness at left



elbow joint, which was fracture and grievous in nature. Other injuries were simple in nature.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence rather have falsely been implicated in this case. There is case and counter case between the parties. The co-accused namely Bipul Prajapati has already been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 29.08.2018 passed in Cr. Misc. No. 40755 of 2018.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks 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 A.C.J.M.-IV, Kaimur, in connection with Chand P.S. Case No. 94 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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