

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13357 of 2020

Arising Out of PS. Case No.-336 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

1. Ashish Ranjan @ Ashish Shrivastava (Male), aged about 24 years, Son of Binay Kumar Shrivastav, Resident of Village - Gopalmath, P.S. - Thawe, District - Gopalganj.
2. Kanhaiya Prasad @ Kanhaiya Kumar, (Male), aged about 25 years, Son of Vasudev Prasad, Resident of Village - Gopalmath, P.S. - Thawe, District - Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Anuj Kumar, Advocate.
For the State	:	Mr.Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 324, 307, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that on the alleged date and time of occurrence, the informant was going to the house of his *Mausi* by Motorcycle, in the way at N.H. 28, the



petitioners alongwith two unknown accused encircled him by Motorcycles and asked as to why he has given evidence against him and thereafter, they started inflicting knife blows repeatedly on his neck, shoulder and back as a result of which, he became bloodied and fell down on the ground. On alarm, one Vivek Kumar and two other villagers came there and brought to Sadar Hospital for treatment.

It has been submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. Nature of injury is said to be simple. No offence under Section 307 of the I.P.C. is made out. The occurrence is said to have taken place on 11.10.2019 as to when the case was instituted on 13.10.2019. Delay has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory



bail on their personal bond to the satisfaction of the learned
A.C.J.M.-VI, Gopalganj, in connection with Thawe P.S. Case
No. 336 of 2019, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall
furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each
with two sureties of the like amount each within a period of
seven weeks to the satisfaction of the court concerned in
connection with the aforesaid case.

(Sudhir Singh, J)

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