

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16330 of 2020

Arising Out of PS. Case No.-246 Year-2019 Thana- SURYAGARHA District- Lakhisarai

1. GARIB RAM Son of Late Zigan Ram @ Jhingo Ram Resident of Village - Mustafapur, P.S.- Suryagarha (Manikpur), District- Lakhisarai
2. Ghanshyam Ram Son of Garib Ram Resident of Village - Mustafapur, P.S.- Suryagarha (Manikpur), District- Lakhisarai
3. Sunni Kumar Son of Adhik Ram Resident of Village - Mustafapur, P.S.- Suryagarha (Manikpur), District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-09-2020 Heard Mr. Manoj Kumar, learned counsel for the petitioners and Mr. Jai Narain Thakur, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners apprehend arrest in connection with Suryagarha (Manikpur) P.S. Case No. 246 of 2019 registered for the offences punishable under Sections 341, 323, 307, 379 and 34 of the Indian Penal Code 1860.

The allegation against the petitioners as per the First Information Report is that petitioner No. 1 caught hold of Satish Kumar and petitioner No. 2 assaulted on his head by means of *Farsa* and also looted Rs.5,000/- cash from the drawer



of the informant.

Learned counsel for the petitioners submits that the Police after investigation submitted charge sheet under Sections 341, 323 and 34 of the Indian Penal Code and not under Section 307 of the Indian Penal Code. Learned counsel further submits that both the parties have entered into compromise as would be evident from Annexure-2. Learned counsel referring to Annexure-3 submits that the injuries caused to the victim have been found to be simple in nature.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that charge sheet has not been submitted under Section 307 of the Indian Penal Code and injuries caused to the informant are simple in nature, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Suryagarha (Manikpur) P.S. Case No. 246 of 2019, subject to the condition



as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bails bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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