

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67241 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- BANSHI District- Jehanabad

1. Ramashankar Bind, Son of Shyamdip Bind Resident of Village- Bakhori Bigha, P.S.- Banshi, District- Arwal.
2. Shankar Bind Son of Shyamdip Bind Resident of Village- Bakhori Bigha, P.S.- Banshi, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra- Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava- A.P.P.

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

5 22-06-2020 Heard learned counsel appearing for the petitioners as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioners apprehend their arrest in connection with Banshi P. S. Case No.27 of 2019 registered for the offences punishable under Sections 341, 323, 427, 307, 504/34 of the I.P.C.

Petitioners and other F.I.R. named accused persons are said to have assaulted the informant and others by means of deadly weapons.

Learned counsel appearing for the petitioners submits that there is case and counter-case between the parties and



persons from both sides are said to have sustained injuries. He further submits that general and vague allegation of assault has been levelled against the petitioners.

The perusal of case diary goes to show that, altogether, three persons sustained injury said to be caused by hard-blunt substance and out of aforesaid three persons, two persons are said to have sustained simple injury whereas injured no.3, namely, Baijnath Singh is said to have sustained injury on left parietal region of head 3" x 1" scalp deep. The doctor opined that the aforesaid injury of Baijnath Singh was dangerous to his life. But concerned doctor did not mention in his report as to how he came to conclusion that the aforesaid injury of injured Baijnath Singh was dangerous to his life. Moreover, the Investigating Officer failed to record the statement of injured Baijnath Singh and, therefore, there is nothing on the record to show that it were petitioners, who caused injury to injured Baijnath Singh.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on



bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Mr. Krishna Kumar Choudhary, learned Additional Chief Judicial Magistrate-1, Arwal in connection with Banshi P. S. Case No.27 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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