

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85632 of 2019

Arising Out of PS. Case No.-325 Year-2019 Thana- PIPRAKOTHI District- East Champaran

1. Nandu Rai S/o Late Anutha Rai Resident of Village- Mathiya Bariyarpur, P.S.- Piprakothi, Distt- East Champaran
2. Lakhindra Rai @ Lakhindra Kumar Yadav, Son of Nandu Rai Resident of Village- Mathiya Bariyarpur, P.S.- Piprakothi, Distt- East Champaran
3. Satendra Rai @ Satendra Kumar, S/o Nandu Rai Resident of Village- Mathiya Bariyarpur, P.S.- Piprakothi, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Piprakothi P.S. Case No.325 of 2019, for the offence punishable
under Sections 341, 323, 324, 307, 379, 504, 506/34 of the
Indian Penal Code.

The allegation against the petitioners is that the
petitioners along with other accused persons assaulted the
informant. It has further been alleged that petitioner No.1 is an
order giver and upon his instruction, the petitioner No.2
assaulted the informant by means of knife and petitioner No.3



assaulted the informant with iron rod.

Mr. Pramod Kumar Pandey, learned counsel appearing for the petitioners submits that petitioners have falsely been implicated in this case due to dispute between the parties inasmuch as earlier the side of the informant had misbehaved with Rupanti Devi and when the petitioner went to the house of the informant to enquire into the matter, they have falsely been implicated in this case. Learned counsel relying upon Annexure-2 submits that the injuries caused to the informant have been found to be simple in nature.

On the contrary, Mr. Madhav Jha, learned counsel appearing for the informant, vehemently opposes the prayer for anticipatory bail and submits that the petitioners along with other accused assaulted the informant with lethal weapon.

After having heard learned counsel for the parties and taking into consideration the fact that both the parties are co-villagers and the injuries caused to the informant have been found to be simple in nature, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender



by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Piprakothi P.S. Case No.325 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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