

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83681 of 2019

Arising Out of PS. Case No.-209 Year-2019 Thana- KARAKAT District- Rohtas

1. RAVI KUMAR Son of Ramdeo Singh Resident of Village-Murarpur, P.S.-Karakat, District-Rohtas.
2. Ajay Kumar Singh Son of Ramdeo Singh Resident of Village-Murarpur, P.S.-Karakat, District-Rohtas.
3. Lala Singh Son of Late Lakshaman Singh Resident of Village-Murarpur, P.S.-Karakat, District-Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Nagendra Upadhyay, Adv.
For the Opposite Party : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Karakat P.S. Case No. 209 of 2019 registered for the offence punishable under sections 341, 323, 504, 506, 308 and 34 of the Indian Penal Code.

As per allegation made in the F.I.R., three petitioners are said to have assaulted the informant and others over a dispute which arose when the accused persons were allegedly throwing bricks, stones etc. in the land of the informant. It is



further stated that all the three petitioners assaulted the informant while petitioner no. 1 is said to have given lathi blow from behind on the head of the informant.

It is submitted by learned counsel for the petitioners that there is case and counter case between the parties and both the parties suffered injuries which are simple in nature. The allegations are general and omnibus and the petitioners have no criminal antecedent.

It is submitted by learned APP appearing for the State that initially the opinion with respect to the nature of injuries was reserved and subsequently nature of one of the two injuries has been opined to be simple in nature and with respect to the second injury, the opinion still remains reserved.

Having heard learned counsel for the parties and considering the nature of allegations against petitioner nos. 2 and 3 together with the injury report and the petitioners having no criminal antecedent, this Court is inclined to grant anticipatory bail to petitioner nos. 2 and 3 and they are directed to surrender in the court below within a period of six weeks from today and in the event of their arrest or surrender, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of learned Sub-Divisional Judicial Magistrate, Binkraganj, Rohtas in connection with Karakat P.S. Case No. 209 of 2019, subject to the condition as laid down under section 438(2) of the Cr.P.C.

So far as, petitioner no. 1 is concerned, there is specific allegation against him of having given blow on the back of the head of the informant and the allegations were corroborated with the injury report. This Court is not inclined to grant bail to petitioner no. 1 and his application for bail is rejected. He is directed to surrender in the court below within a period of six weeks.

In case the petitioner no. 1 surrenders within the aforesaid period and prays for bail, the same shall be considered by the court below expeditiously, without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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