

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7496 of 2020

Arising Out of PS. Case No.-147 Year-2019 Thana- WAJIRGANJ District- Gaya

1. AVINASH KUMAR Son of Krishna Yadav Resident of Village - Ekamba, P.S.- Wazirganj, District - Gaya
2. Vikash Kumar Son of Krishna Yadav Resident of Village - Ekamba, P.S.- Wazirganj, District - Gaya
3. Ajit Kumar @ Ajeet Kumar Son of Dinesh Yadav Resident of Village - Ekamba, P.S.- Wazirganj, District - Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate
For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 02-03-2020 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners in this case are seeking anticipatory bail in connection with Wazirganj P.S. Case No. 147 of 2019 registered for the offence punishable under Sections 341, 323, 307, 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case and there is no specific allegation against petitioner no. 3 of causing assault and the only injury found on the person of Ram Pravesh Yadav has been found to be grievous in nature. It is further submitted that the dispute arose on trivial matter.



Considering the kind of injuries found on the body of the informant and there being allegations against petitioners no. 1 and 2 of causing assault, this Court is not inclined to grant privilege of anticipatory bail to petitioners no. 1 and 2. Their prayer for anticipatory bail stands rejected.

So far as petitioner no. 3 is concerned, learned counsel for the petitioner submits that there is no allegation of assault against him, this submission has not been controverted by learned counsel for the informant and the State, let the petitioner no. 3 above named in case of his arrest or surrender within a period of four weeks from today in connection with Wazirganj P.S. Case No. 147 of 2019 be released on bail on furnishing of bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Gaya, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required:

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court to any police officer;
(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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