

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20536 of 2020

Arising Out of PS. Case No.-212 Year-2019 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. DINBANDHU RAY Son of Bikrama Ray Resident of Village - Kursaha, P.S.- Mohiuddin Nagar, Distt - Samastipur, (Bihar)
 2. Bikrama Ray Son of Late Jageshwar Ray Resident of Village - Kursaha, P.S.- Mohiuddin Nagar, Distt - Samastipur, (Bihar)
 3. Amarnath Kumar Son of Vijay Ray Resident of Village - Kursaha, P.S.- Mohiuddin Nagar, Distt - Samastipur, (Bihar)
 4. Sanoj Kumar Son of Birendra Ray Resident of Village - Kursaha, P.S.- Mohiuddin Nagar, Distt - Samastipur, (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Umeshanand Pandit

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 15-01-2021 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Mohiuddin Nagar P.S. Case No. 212 of 2019 registered for the
offences punishable under Sections 307 and other minor section
of the Indian Penal Code .

It is alleged that petitioners assaulted the informant as
well as her other family members.

Submission on behalf of the petitioners is that



according to the prosecution case itself, the alleged occurrence took place on 31.10.2019 but the present case was registered on 21.11.2019 and no explanation of the aforesaid delay has been given. He further submits that as a matter of fact, that on the alleged date of occurrence it was prosecution party, who badly assaulted the petitioners for which petitioners lodged Mohiuddin Nagar P.S. Case No. 196 of 2019 on the same date ie, on the date of alleged occurrence. He further submits that moreover, the informant's son got prepared a forged injury report by a private doctor and even if the aforesaid injury report assumed to be true, then also, the informant's son sustained simple injury which is evident from perusal of Para-22 of the case diary and except the aforesaid injury report, there is no injury report on the record.

Considering the aforesaid facts and circumstances 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 four 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 the learned Sub0 Divisional Judicial Magistrate, Samastipur in Mohiuddin Nagar P.S. Case No. 212 of 2019 subject to



condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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