

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17173 of 2020

Arising Out of PS. Case No.-581 Year-2019 Thana- GARKHA District- Saran

1. BHIM RAY Son of Shiv Prasad Ray Resident of Village- Kasina Pirari, P.S.- Garkha, Dist.- Saran at Chapra.
2. Bhikhari Kumar Son of Shiv Prasad Ray Resident of Village- Kasina Pirari, P.S.- Garkha, Dist.- Saran at Chapra.
3. Arjun Ray Son of Shiv Prasad Ray Resident of Village- Kasina Pirari, P.S.- Garkha, Dist.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav

For the Opposite Party/s : Mr.Abhay Kumar no. 1

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-01-2021 Heard the learned counsel for the petitioners and Sri
Abhay Kumar No. 1, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Garkha PS case no. 581 of 2019 registered for the offences punishable under Sections 354 and other allied sections of Indian Penal Code.

The allegation is regarding the petitioners having assaulted the informant and others and the petitioner no. 1 is stated to have assaulted the brother of the informant.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. It is further submitted that the present case arises out of case and counter case; the case filed by the accused persons being first in time and moreover, the



petitioner no. 1 is also stated to have sustained grievous injuries.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the present case arises out of case and counter case and the petitioner no. 1 is stated to have received grievous injuries at the hands of the members of the prosecution party, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XIV, Saran in connection with Garkha PS case no. 581 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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