

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32385 of 2020

Arising Out of PS. Case No.-84 Year-2020 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

-
1. ABHISHEK KUMAR S/o Vijay Kumar Resident of R/o Binoba Nagar, in the House of Nandu Sao, P.S.- Magadh Medical, District- Gaya.
 2. Prabha Devi W/o Vijay Kumar Resident of R/o Binoba Nagar, in the House of Nandu Sao, P.S.- Magadh Medical, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh-I, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 09-02-2021 Heard Mr. Ajit Ranjan Kumar, learned Advocate for the petitioners and Mr. Aditya Narayan Singh-I, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Magadh Medical P.S. Case No. 84 of 2020 dated 04.05.2020 instituted for the offences under Sections 341, 323, 324, 308, 504/34 of the Indian Penal Code.

The allegation in the FIR is that the petitioner no. 1 stopped the informant from going towards his destination. The petitioner no. 2 is then said to have held the hand of the informant when the petitioner no. 1 attacked him by means of a blade leading to injuries which have been reported to be grievous.



Learned counsel for the petitioners has submitted that the genesis of the cause of occurrence lies somewhere else. Deliberately, the background facts have not been stated in the FIR. The brother of petitioner no. 1 and son of petitioner no. 2 are studying with the informant in the same school. Because of some dispute between the two students, the elders have jumped in the fray. The petitioner no. 2 has also filed a case *vide* Magadh Medical P.S. Case No. 85 of 2020 for offences under Sections 308 and other Sections of the IPC. The informant, it has been stated was treated in a private hospital and therefore the injury report which clearly talks about a hairline cut mark has been reported to be grievous. The petitioner no. 1 is a young person who is hardly in his teens and the petitioner no. 2 is a lady.

Considering all these facts, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Magadh Medical P.S.



Case No. 84 of 2020, subject to the conditions as laid
down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

