

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41034 of 2020

Arising Out of PS. Case No.-244 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Sanjeet Rai @ Sanjit Kumar Son of Munshilal Rai Resident of Village - Singhiya Khurd, P.S.- Muffasil, District - Samastipur.
 2. Ranjeet Rai @ Ranjeet Kumar Son of Munshilal Rai Resident of Village - Singhiya Khurd, P.S.- Muffasil, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-10-2021 Heard Shri Bijay Bhushan Prasad, learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is seeking anticipatory bail in connection with Muffasil P.S. Case No. 244 of 2020 instituted for the offences under Sections 3 and 4 of the Prevention of Witch (Daain) Practices Act, 2001 and Sections 307, 323, 324, 34, 341, 379, 447 and 504 of the Indian Penal Code.

Learned counsel for the petitioner, at the outset, submits that Sanjeet Kumar Rai (petitioner no. 1) has been arrested during pendency of the present anticipatory bail application and as such the application has become infructuous against him. He may be permitted to withdraw the same.

Permission is accorded.



Learned counsel for the petitioner submits that petitioner no. 2 is a person with clean antecedent and he has been falsely implicated in the present case. Further, from bare perusal of the allegation as alleged in the F.I.R. it would manifest that Ranjit assaulted by *gandasa* on the head of the informant leading to cut injury and from perusal of the injury report at annexure-3, it would manifest that the injury is simple in nature.

Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case in its totality and that the nature of injury is simple and the petitioner is having a clean antecedent, let the petitioner no. 2, in the event of his arrest or surrender before the learned Court below within a period of ten weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Samastipur in connection with Samastipur Muffasil P.S. Case No. 244 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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