

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17147 of 2020

Arising Out of PS. Case No.-22 Year-2019 Thana- RAJEPUR District- East Champaran

1. GAJADHAR RAI S/o Late Bhuneshwar Rai R/o village- Tajpur Saraiya, P.S.- Rajepur, District- East Champaran
2. Rajendra Rai S/o Gajadhar Rai R/o village- Tajpur Saraiya, P.S.- Rajepur, District- East Champaran
3. Ashok Rai S/o Gajadhar Rai R/o village- Tajpur Saraiya, P.S.- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

13 29-03-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend arrest in connection with Rajepur P.S. Case No. 22 of 2019 registered under Section 307 and other allied sections of the Indian Penal Code pending in the Court of C.J.M., East Champaran at Motihari.

Learned counsel appearing on behalf of the petitioners submits that earlier petitioners had moved for anticipatory bail in Cr. Misc. No. 63391 of 2019 and vide order dated 21.10.2019 this Court was pleased to grant provisional bail with the observation that “The provisional bail granted to



the petitioners shall be confirmed by the learned court below upon verification within a further period of four weeks after furnishing bail bond, that no grievous injury has been caused to the informant; conversely, their bail bonds shall stand automatically cancelled.”

Learned counsel for the petitioners further submits that the court below has failed to appreciate the fact that the injury no. 3 is no injury, rather it is only a reference to the SKMCH, Muzaffarpur, Ortho Specialist. Para-35 of the case diary does not record any injury no. 3.

Having considered the above facts and circumstances of the case and the submissions advanced by the learned counsel, this bail application is disposed of with a direction to the learned Court below to pass the order afresh taking into consideration the aforesaid submissions of the learned counsel for the petitioners.

(Arvind Srivastava, J)

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