

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6973 of 2022

Arising Out of PS. Case No.-27 Year-2021 Thana- ALIPUR District- Gaya

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1. SANTOSH KUMAR S/o Om Prakash Singh Resident of Village- Thanapur, P.O.- Sadopur, P.S.- Alipur, District- Gaya.
 2. RAM PRATAP YADAV S/o Mundrika Yadav Resident of Village- Thanapur, P.O.- Sadopur, P.S.- Alipur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 03-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 325, 307, 353, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have antecedent of one case and the informant alleges that during raid to apprehend accused indulging in electricity theft, the villagers attacked the raiding team and obstructed government work, further the Assistant Engineer and two other officials sustained injuries, as Santosh assaulted Ravindra with rod causing fracture of hand and Ram Pratap



assaulted the informant by rod causing injury on head, further Mukesh, Bhim and Shashi assaulted and abused and 50 unknown accused persons pelted stones.

Learned counsel for the petitioners submits that petitioners have falsely implicated in the present case, it is next submitted that present FIR has been instituted by the driver of the Assistant Engineer, it is next submitted that the Assistant Engineer has also instituted Alipur P.S. Case No. 28 of 2021 in which he has not even remotely alleged that he was assaulted and he got injured, it is next submitted that even from perusal of the impugned order it would manifest that there is no description of injury report which prima-facie demonstrates that two FIR for the same offence was instituted and the FIR instituted later by the Assistant Engineer does not support the allegations as alleged in the present FIR.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Alipur P.S. Case No. 27 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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