

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8675 of 2022

Arising Out of PS. Case No.-52 Year-2021 Thana- KHIRI MORE District- Patna

1. BAIDNATH SAO S/o Kedar Sao R/o village- Mankudha, P.S.- Khiri More, District- Patna
2. Amresh Kumar @ Amrsh Sao S/o Baidnath Sao R/o village- Mankudha, P.S.- Khiri More, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 325, 307, 379, 447 and 448 of the Indian Penal Code.

The informant alleges that on 03.06.2021 at 7:30 pm, while he was sitting at his door, the accused persons, including the petitioners, came variously armed after jumping the wall of the informant's house and thereafter it is alleged that petitioner no.1 gave orders to kill on which Ranjit Sao assaulted with shaft on head of the informant causing injury, petitioner no.2 and Sanjit assaulted with iron rod and *lathi* on victim's arms and



chest causing injury and when informant's nephew, daughter and daughter-in-law intervened, all the accused assaulted them with *lathi* and sticks causing injury. It is further alleged that thereafter Vinod Sao took away Rs. 25,000 and jewellery worth Rs. 2 lakhs and Vijay Sao also took away gold earring of his daughter-in-law worth Rs. 40,000/- and *mangalsutra* worth Rs. 60,000/-.

Learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case, petitioner no.2 is a person with clean antecedent and they have been falsely implicated in the present case, further the parties are *gotia* and co-sharers. Learned counsel submits that even presuming what has been alleged is true, without admitting, then the injuries suffered by the injured are simple in nature and thus the allegation of assault as alleged in the F.I.R. gets belied, further the allegation of assault against the petitioner no.2 is not specific as it has been alleged that he along with Sanjeet assaulted.

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 Court below 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 court below where the case is pending/successor court in connection with Khirimore P.S. Case No. 52 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/Gaurav-

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