

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8919 of 2020

Arising Out of PS. Case No.-308 Year-2018 Thana- BARURAJ District- Muzaffarpur

1. Pappu Sah @ Rajiv Kumar, Son of Rajendra Sah.
2. Ramesh Sah, Son of Ram Ekbal Sah.
Both are resident of Village - Bangara Firoj, P.S.- Baruraj, District- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Rajiv Ranjan, Advocate
For the Opposite Party	:	Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 05-05-2022 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Baruraj P.S. Case No. 308 of 2018 for the offence punishable under Sections 341, 323, 307, 449, 147, 148, 149, 504 and 506 of the Indian Penal Code.

The case diary was called for, but there is no injury report in the case diary. This is a case registered under Section 307 and other allied Sections of the Indian Penal Code and without injury report it is difficult to examine the case whether any offence under Section 307 of the Indian Penal Code is made out or not. Merely, on the basis of allegations, the petitioners cannot be denied anticipatory bail.

In such view of the matter, this bail application is



allowed.

Let the petitioners, above named, in the event of their arrest/surrender within four weeks from today in the Court below, be released on bail *till submission of charge-sheet* on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Baruraj P.S. Case No. 308 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that if the injury report is submitted showing that the injury sustained by the injured is simple in nature, then the anticipatory bail granted to the petitioners shall be confirmed by the Court below after submission of the chargesheet. If the injury report shows that the injury sustained by the victim is grievous in nature, in such a situation, the bail bonds of the petitioner shall be canceled.

(Sandeep Kumar, J)

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