

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35062 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- BARURAJ District- Muzaffarpur

1. RAKESH KUMAR Son of Uma Shankar Sah Resident of Village - Korigawan, P.S. - Baruraj, District - Muzaffarpur.
2. Daroga Sah Son of Late Chulha Sah Resident of Village - Korigawan, P.S. - Baruraj, District - Muzaffarpur.
3. Mohan Sah Son of Late Chulha Sah Resident of Village - Korigawan, P.S. - Baruraj, District - Muzaffarpur.
4. Sohan Sah Son of Late Chulha Sah Resident of Village - Korigawan, P.S. - Baruraj, District - Muzaffarpur.
5. Ramdayal Sah @ Ramdalal Sah Son of Hiralal Sah Resident of Village - Korigawan, P.S. - Baruraj, District - Muzaffarpur.
6. Uma Shankar Sah Son of Late Chulha Sah Resident of Village - Korigawan, P.S. - Baruraj, District - Muzaffarpur.
7. Ganesh Sah Son of Botu Sah Resident of Village - Korigawan, P.S. - Baruraj, District - Muzaffarpur.
8. Raj Kumar Sah @ Raj Kumar Son of Dharmnath Sah Resident of Village - Korigawan, P.S. - Baruraj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-06-2022 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 offence under Sections 341, 323, 504, 506, 308 and 34 of the Indian Penal Code.

The informant is said to have been assaulted by the lathi, danda, rod and spear by the petitioners causing head injury to the informant.



Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have falsely been implicated in this case. He further submits that there is general and omnibus allegation against the petitioners and no specific allegation of assault is attributed to them. He further submits that there is case and counter case between the parties. He further submits that the injury report reveals that the injury sustained by the informant are simple in nature. Hence, the petitioners may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners in the event of their arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Baruraj P.S. Case No. 98 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

(1) Petitioners shall co-operate in the investigation and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the



Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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