

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36005 of 2022

Arising Out of PS. Case No.-310 Year-2021 Thana- RAGHOPUR District- Vaishali

1. VIKASH KUMAR @ VIKASH KUMAR GAURAB S/o Bundela Rai @ Bundela Kumar Ray Resident of Saidabad, P.S.- Raghapur, District- Vaishali
2. Rahul Kumar @ Raina Verma S/o Bundela Rai @ Bundela Kumar Ray Resident of Saidabad, P.S.- Raghapur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2022 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 341, 323, 324, 307, 354, 504 and 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have antecedent of one case and the informant alleges that on account of dispute relating to election, the accused persons, including the petitioners, came to the house of the informant and Ujjwal assaulted the son of the informant by *farsa* causing injury on head, further assaulted Minta Devi causing injury on her head, it is next alleged that Vikash



assaulted Dharmendra with sword causing injury on head and Rahul assaulted Abhishek and Aman with gadasa causing injury on their head.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that on account of dispute relating to election, the present false case came to be instituted, it is also submitted that if what has been alleged is true then definitely the injured would have been treated in a hospital either government or private, but then from perusal of the FIR, it would manifest that the FIR was based on written application of the informant which amply demonstrates that the injured were never taken to the hospital or else the hospital would have informed the police in the nature of allegations as alleged, it is next submitted that it has been specifically stated at Para-12 that the learned District Court had called for the case diary and after perusal of the case diary it was recorded that injury report was not there which further fortifies the fact that no occurrence in the manner as alleged ever took place.

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 Raghapur P.S. Case No. 310 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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