

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33876 of 2022

Arising Out of PS. Case No.-426 Year-2021 Thana- GORAUL District- Vaishali

1. NARAD RAY S/o Late Ram Chandra Ray Resident of Village - Salempur Dumariya, P.S.- Goraul (Katahara O.P.), District - Vaishali.
2. Pankaj Kumar Yadav @ Pankaj Ray S/o Late Ram chandra Ray Resident of Village - Salempur Dumariya, P.S.- Goraul (Katahara O.P.), District - Vaishali.
3. Parash Ray @ Paras Nath Ray S/o Late Ram Chandra Ray Resident of Village - Salempur Dumariya, P.S.- Goraul (Katahara O.P.), District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Shahabuddin Azeem @ S. Azeem, A.P.P.
	:	Mr. Madanjeet Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022 Heard learned Senior counsel for the petitioners,

learned counsel for the informant 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, 379, 504, 506 and 34 of the Indian Penal Code.

The informant alleges that while he was to Jikhara Chawk the accused persons came and Narad Ray (petitioner no. 1) assaulted him with rod causing injury, thereafter,



Nitish assaulted Deepak with sword causing injury on head and Pankaj (petitioner no. 2) assaulted his father by rod causing injury on head, it is next alleged Mukesh assaulted Randhir by an iron rod causing injury on head and Mohan snatched his chain.

Learned Senior counsel for the petitioners submits that the petitioners have antecedent of one case and have been falsely implicated in the present case, it is next submitted that from bare perusal of the allegation as alleged in the FIR it would manifest that there is no specific allegation of assault against petitioners, it is further submitted that petitioner no. 1 is concerned, he is alleged to have assaulted the informant with rod causing injury but then it has not specified where the assault was made. Learned Senior counsel fairly submitted that as far as petitioner no. 2 is concerned, he is alleged to have assaulted the father of the informant by rod causing injury on head and the opinion of the doctor with respect to the injury has been reserved.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of



the petitioners.

Learned counsel for the informant submits that though it is not a case of suppression but then after filing of the present anticipatory bail application more cases one in the month of September and other in the month of November 2022 came to be instituted against no. 1, it is next submitted that petitioner no. 1 is alleged to have assaulted causing grievous injury on knee of the informant, it is further submitted that father of the informant has received blow on his head by a rod inflicted by petitioner no. 2.

Learned Senior counsel submits that even presuming what has been submitted is true with regard to assault on informant by the petitioner no. 1, then the injury is not on vital part of the body.

Considering the submissions made by the learned counsel for the petitioner no. 1 and 3, 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 Goraul P.S. Case No. 426 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The Court is not inclined to extend the privilege of anticipatory bail application to the petitioner no. 2.

(Satyavrat Verma, J)

GauravSinha/-

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