

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35981 of 2022

Arising Out of PS. Case No.-133 Year-2021 Thana- AAYAR District- Bhojpur

1. PUKAR SINGH @ PUKAR YADAV Son of Late Ram Karan Singh Resident of Village - Kusumha, P.S.- Ayer, District - Bhojpur (Bihar).
2. Ram Tapasya Singh @ Tapasya Singh Son of Late Ghunur Singh Resident of Village - Kusumha, P.S.- Ayer, District - Bhojpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2022 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 147, 341, 323, 307, 379 and 504 of the Indian Penal Code and Sections 25(1-b)a, 26 and 27 of the Arms Act.

The informant alleges that the accused persons including the petitioners came variously armed and Prem Chand assaulted his brother with butt of rifle causing injury on head, petitioner no. 2 assaulted his son by lathi causing injury on head, further assaulted his wife by brick on stomach and Praveen snatched ear ring of his wife, it is next alleged that accused



persons fled when villagers came but rifle of Prem Chand was snatched and handed over to the police, it is next alleged that the reason for the occurrence is that the accused persons believed that informant had disclosed to the Ex-Mukhiya that it were the petitioners who had shot him.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that as far as petitioner no. 1 is concerned, there is no specific allegation against him and as far as petitioner no. 2 is concerned, allegation against him is of assaulting the son of the informant by lathi causing injury on head and wife of the informant by brick causing injury on stomach. Learned counsel further submits that he is not aware that as to whether simple or grievous injury was caused to the injured who are alleged to have been assaulted by the petitioners.

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 Ayer P.S. Case No. 133 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial Court before accepting the bail bonds of the petitioner no. 2 shall verify the injury of the son and wife of the informant and if it found that the injuries suffered by any of them is grievous then the present anticipatory bail order shall not be acted upon with respect to petitioner no. 2.

(Satyavrat Verma, J)

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