

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38484 of 2022

Arising Out of PS. Case No.-145 Year-2020 Thana- GUTHANI District- Siwan

1. AJAY RAI @ CHHOTAN RAI Son of Late Ram Nath Rai Resident of Village - Taraka, Police Station- Guthni, District - Siwan.
2. Vikash Rai Son of Late Sanjay Rai Resident of Village - Taraka, Police Station- Guthni, District - Siwan.
3. Vivek Rai Son of Late Sanjay Rai Resident of Village - Taraka, Police Station- Guthni, District - Siwan.
4. Prashant Rai @ vishal Rai son of Ajay Rai Resident of Village - Taraka, Police Station- Guthni, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Veena Rani Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-12-2022 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, 148, 323, 324, 307, 354, 379, 427, 504 and 506 of the Indian Penal Code.

The informant alleges that while her husband and son were repairing the house, the accused persons including the petitioners came and petitioner no. 2 and 3 made her semi-naked by tearing her blouse and dashed her on the ground, further all



the accused assaulted her and her family members, it is next alleged that petitioner no. 2 and 3 assaulted her son by gadasa and sword respectively causing injury on head, eye and thigh, thereafter, petitioner no. 1 assaulted Rajnarayan and Rajan by rod causing injury on head and also assaulted Shubhnarayan by rod causing injury on back, further, other accused snatched gold chain and also assaulted them.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no. 3 and 4 are young boys aged about 21 and 18 years and have been falsely implicated in the present case, it is next submitted that there is no specific allegation of assault against petitioner no. 4, it is next submitted that the present occurrence is alleged to have taken place on account of dispute relating to repairing of house, it is further submitted that from perusal of the order impugned, it would manifest that the injuries suffered by the injured are simple in nature which amply demonstrates that the accused persons never had any intention of committing a serious occurrence, it is next alleged that petitioner no. 3 is also a young boy aged about 21 years. Learned counsel further submits that petitioners would cooperate in the investigation and will present themselves as and when required by the investigating officer.



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 Guthani P.S. Case No. 145 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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