

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42491 of 2022

Arising Out of PS. Case No.-90 Year-2022 Thana- VIJAYEPUR District- Gopalganj

1. SHEORAJ RAM Son of Das Ram Resident of Village - Chainpur Tola Shitalpur, P.s.- Bijaipur, Distt.- Gopalganj.
2. VIJAY RAM Son of Late Ramal Ram Resident of Village - Chainpur Tola Shitalpur, P.s.- Bijaipur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 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 341, 323, 307, 336 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and young boys aged about 22 and 20 years respectively and the informant alleges that the petitioners intentionally while bursting crackers injured her ten years old grand-son's private part and threatened not to institute a case or else they will be implicated falsely in SC/ST Act.



Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that it is true that petitioners along with others were burning crackers and the cracker accidentally hit the private part of the grand-son of the informant, but then they never had any intention of committing a crime.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that from the tenor of allegation it appears that the act was deliberate and the child was admitted in a private hospital.

Learned counsel for the petitioners rebuts the submissions of the learned APP and submits that petitioners will not evade the law rather will co-operate in the investigation and will present themselves as and when required by the Investigating Officer of the case.

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 Bijaipur P.S. Case No. 90 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailors of both the petitioners shall be 'Maya Devi' mother of petitioner no.1.

Further, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not co-operating in the investigation or are not appearing when called for, the learned trial court after giving them an opportunity of hearing shall pass order in accordance with law and shall also be entitled to cancel their bail bonds.

The learned trial court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

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