

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43062 of 2022

Arising Out of PS. Case No.-204 Year-2020 Thana- MANJHI District- Saran

1. ABHAY SRIVASTAVA SON OF JANARDAN LAL R/O VILLAGE-CHAKIYA, P.S.- MANJHI, DISTRICT- SARAN
2. VIRBAHADUR SINGH @ BIR BAHADUR SINGH SON OF LATE RAMASHISH SINGH R/O VILLAGE- CHAKIYA, P.S.- MANJHI, DISTRICT- SARAN
3. MUNNA SINGH SON OF OM PRAKASH SINGH R/O VILLAGE-CHAKIYA, P.S.- MANJHI, DISTRICT- SARAN
4. BACHU SAH @ BACHCHU SAH SON OF LATE LAXAMI SAH R/O VILLAGE- CHAKIYA, P.S.- MANJHI, DISTRICT- SARAN
5. VISHAL SINGH @ BISHAL SINGH SON OF VIRBAHADUR SINGH @ BIR BAHADUR SINGH R/O VILLAGE- CHAKIYA, P.S.- MANJHI, DISTRICT- SARAN
6. OM PRAKASH SINGH SON OF LATE BHOLA SINGH R/O VILLAGE-CHAKIYA, P.S.- MANJHI, DISTRICT- SARAN
7. CHHOTU SRIVASTAVA @ RAVI SHANKAR SRIVASTAVA SON OF PAPPU SRIVASTAVA R/O VILLAGE- CHAKIYA, P.S.- MANJHI, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar, Advocate
For the Opposite Party/s : Mr. Chandrabhushan Prasad, A.P.P.

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 147, 149, 323, 504, 506, 384, 324, 379 and 354 of the Indian Penal Code.

The informant alleges that Abhay and Vishal assaulted



her nephew causing injury on head, Munna assaulted with hammer causing injury on mouth and jaw, thereafter, Om Prakash and Virbahadur tried to strangle him by an iron chain, further Chotu assaulted him by butt of pistol on forehead and Janardan snatched her gold chain.

Learned counsel for the petitioners submits that the petitioner no. 1 and 2 have antecedent of one case and petitioner no. 3 to 7 are persons with clean antecedent 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 the date of occurrence is 13.07.2020 and the FIR has been instituted on 04.08.2020 and that too based on a written application of the informant, it is next submitted that if what has been alleged in the FIR is true then definitely the injured would have been taken to the hospital for treatment and then the FIR would have been instituted based on fardbeyan of the injured or the informant at the hospital. Learned counsel next submits that even the FIR was sent to the learned A.C.J.M. on 13.08.2020. Learned counsel further submits that the delay in instituting the FIR and thereafter it was sent belatedly to the learned trial Court that in itself creates doubt with regard to the veracity of the allegation as alleged.



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 Manjhi P.S. Case No. 204 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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