

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46060 of 2022

Arising Out of PS. Case No.-272 Year-2021 Thana- KHAGAUL District- Patna

1. PINTU RAI @ PETA YADAV @ PINTU KUMAR @ PENTA YADAV Son of Suresh Rai Resident of Badi Badalpura, P.S.- Khagaul, District - Patna
2. Toha @ Rajesh Rai Son of Suresh Rai Resident of Badi Badalpura, P.S.- Khagaul, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-10-2022 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 323, 341, 307, 379 and 34 of the Indian Penal Code and Section 37(c) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case and petitioner no.2 is a person with clean antecedent and the informant alleges that on 01.11.2021 at about 1:30 PM, co-accused Krishna Rai came at her son's shop and started abusing and assaulting him, it is next alleged that petitioner no. 1 and petitioner no. 2 also came and



assaulted her son, it is further alleged that Krishna Rai tied a knot with a rope around the neck of her son with the intention to kill but he was saved, it is also alleged that Krishna Rai was drunk and the accused looted Rs. 15,000/- from the shop.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is also submitted that it was Krishna Rai who had committed the occurrence, as he was drunk and petitioner being brother of Krishna Rai came to be implicated, it is also submitted that allegation of assault is general and omnibus in nature and the injury suffered by the victim is simple in nature.

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 Khagaul P.S. Case No. 272 of 2021 subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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