

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46922 of 2022

Arising Out of PS. Case No.-70 Year-2022 Thana- MATIHANI District- Begusarai

1. TUNTUN RAJAK SON OF LATE DILO RAJAK @ LATE DHILO RAJAK @ LATE VILO RAJAK R/O VILLAGE- RAMPUR MATIHANI, P.S.- MATIHANI, DISTRICT- BEGUSARAI
2. KRISHNA KUMAR @ KRISHN KUMAR SON OF TUNTUN RAJAK R/O VILLAGE- RAMPUR MATIHANI, P.S.- MATIHANI, DISTRICT- BEGUSARAI
3. KANHAIYA KUMAR SON OF TUNTUN RAJAK R/O VILLAGE- RAMPUR MATIHANI, P.S.- MATIHANI, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners, at the outset,
seeks permission to withdraw the present anticipatory bail
application with respect to petitioner no.3.

Permission is accorded.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 323, 307
and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are persons with clean antecedent and the informant



alleges that Kumkum, Kanhaiya and Krishna assaulted Ram Kumar, Rampravesh and Shanti Devi by brick, stone and khanti causing injury on their hand and head.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that on account of dispute relating to land, the present occurrence is alleged to have taken place, it is also submitted that from side of the petitioners Matihani P.S. Case No. 69 of 2022 was instituted against the informant and his side, it is next submitted that no doubt one of the injuries is on the head, but then from perusal of the impugned order, it would manifest that the learned Additional Sessions Judge-IX has not recorded, the nature of the injury despite the injury report being before him, this amply demonstrates that the injury was 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 petitioner nos. 1 and 2, 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 Matihani P.S. Case No. 70 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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