

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57052 of 2021

Arising Out of PS. Case No.-139 Year-2021 Thana- DAUDNAGAR District- Aurangabad

1. TULLU RAWAT Son of Sri Dular Ram Resident of Mohalla- Nal Band Toli Ward No. 8, P.S.- Daudnagar, District- Aurangabad.
2. Shiv Sagar Arya Son of Sri Surendra Ram Resident of Mohalla- Purani Shahar Ward No. 3, P.S.- Daudnagar, District- Aurangabad.
3. Nathuni Ram Son of Sri Chaturgan Ram Resident of Mohalla- Ambedkar Nagar Ward No. 3, P.S.- Daudnagar, District- Aurangabad.
4. Brajesh Kumar Son of Sri Suresh Ram Resident of Mohalla- Daudnagar Purani Shahar, P.S.- Daudnagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Shraddhanand Paswan, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2022 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, 341, 353, 307, 332, 333, 427, 354 and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 16.03.2021 when he was on duty at Daud Nagar P.H.C. few persons came there with a child with snake bite on



which the informant referred the child to a higher center though after examining he had found no symptoms of snake bite. In the evening at about 6:00 pm the accused persons including the petitioners along with 40-50 unknown persons came and assaulted the informant and the P.H.C. staff and even damaged the official vehicle of the hospital.

Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the allegations are general and omnibus in nature, it is next submitted that petitioners have no concern with the child in question who was bitten by snake. Learned counsel submits that it appears that the family members of child later came to the hospital in the evening, as the child had died after being referred to the higher center, on account of which some occurrence took place and the petitioners being villagers were also present there and as such their name also figured in the F.I.R. without any overt act. It is next submitted that the informant is not a local doctor but still he has identified the accused persons who were not known to him, including the petitioners, as such it appears that the petitioners have been falsely implicated at the behest of some interested people inimical to the petitioners. It is next submitted that even the



injury caused to the staff of the P.H.C. are 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 and the fact that the injuries are simple in nature, the petitioners above-named, in the event of their arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Daudnagar P.S. Case No. 139 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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