

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61114 of 2021

Arising Out of PS. Case No.-177 Year-2021 Thana- SASARAM NAGAR District- Rohtas

1. DEEPAK KUMAR SON OF MAHENDRA SINGH Resident of Village - Maharania, P.S.- Darigaon, Distt.- Rohtas
2. VIKASH KUMAR @ VIKAS KUMAR NAND SINGH Resident of Village - Diliyan, P.s.- Sasaram Town, Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Choubey
For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-08-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 307, 379 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, while the nephew of informant was standing at his door, all the FIR named accused persons, including these petitioners, armed with iron rod and Lathi assaulted the nephew of informant as a result of which he sustained injuries and while they were returning they demanded extortion money of Rs. 50,000/-.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. Allegation of assault is general and omnibus against



these petitioners. In this case the victim sustained two injuries out of them one is grievous but it is not specific that who caused the grievous injury. There is delay of three days in lodging the FIR. It is further submitted that during the course of investigation it has come that nephew of informant initially pelted stones on the sister of the accused as a result of which the occurrence took place. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that one of the injuries of injured has been found to be grievous in nature.

Considering the facts of the case, clean antecedent of the petitioners and delayed lodging of the FIR, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram Town PS case No. 177/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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