

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51361 of 2022

Arising Out of PS. Case No.-184 Year-2022 Thana- TARIYANI CHOWK District- Sheohar

1. Sanjay Kumar Son of Ram Vinod Rai R/V- Bariyarpur, P.S- Tariyani, Dist- sheohar
2. Ram Vinod Rai Son of Late Suryanarain Rai R/V- Bariyarpur, P.S- Tariyani, Dist- sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh, Advocate

For the Opposite Party : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

Learned counsel for the petitioners seeks permission to withdraw this application as against petitioner no. 2, as he has already been arrested by the police, during pendency of this application.

Permission is granted.

Accordingly, the instant application as against the petitioner no. 2 is dismissed as withdrawn.

Now, this application survives for petitioner no. 1 only.



Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

Allegedly, the petitioners alongwith the co-accused are said to have assaulted the head of the informant with *Khanti* and *Dabiya* due to which the same sustained head injury and became unconscious.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent. Learned counsel for the petitioner further submits that though the injuries are grievous in nature, but there is allegation against the two persons assaulting the informant, one person was apprehended by the police.

Learned APP for the State vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case



and materials available on record, let the petitioner no. 1 be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) 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 Ariyani P.S. Case No. 184 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Shahnawaz/-

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