

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54514 of 2022

Arising Out of PS. Case No.-45 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

1. RAMESH RAI S/O BHINDOL RAI R/O VILLAGE- CHUKUNDA MILKI, P.S. SADAR HAJIPUR, DIST. -VAISHALI
2. YUVRAJ KUMAR @ MANISH RAI S/O RAMESH RAI R/O VILLAGE- CHUKUNDA MILKI, P.S. SADAR HAJIPUR, DIST. -VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-11-2022 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, 148, 149, 341, 323, 324, 307, 354 and 447 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 22.01.2022 at 8:30 am, petitioner no.1 along with named accused persons and 4-5 unknown came to his house and started assaulting his *bhabhi* and tried to commit rape and when his nephew and son came to save her, petitioner no. 2 fired at



the informant causing injury on both of his hands, further Vikki assaulted by sword causing injury on finger of his son.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that the occurrence took place on account of dispute relating to land and as far as petitioner no.1 is concerned, the allegations against him are general and omnibus in nature. It is next submitted that from the side of the petitioners also Hajipur Sadar P.S. Case No. 59 of 2022 has been instituted by petitioner no. 2 against the side of the present informant.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that as far as petitioner no. 2 is concerned, against him there is a direct allegation of firing causing injury on both hands of the informant, it is also submitted that Hajipur Sadar P.S. Case No. 59 of 2022 was instituted only to cover up his misdeeds as the present FIR is numbered as Hazipur Sadar P.S. Case No. 45 of 2022.

Considering the submissions made by the learned counsel for the petitioners, the petitioner no.1 above-named, in the event of his 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) 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 Hazipur Sadar P.S. Case No. 45 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

As far as petitioner no.2 is concerned, the Court is not inclined to extend the privilege of anticipatory bail to him.

His prayer for anticipatory bail is thus rejected.

(Satyavrat Verma, J)

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