

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58032 of 2022

Arising Out of PS. Case No.-312 Year-2021 Thana- DARAUNDA District- Siwan

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1. Babulal Ram S/O Late Bhaw Nath Ram R/O Village-Nawalpur , P.S-Daraunda , District-Siwan
 2. Rama Shankar Ram S/O Babulal Ram R/O Village-Nawalpur , P.S-Daraunda , District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance:

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

For the Opposite Party : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2022 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.

The petitioners apprehend their arrest in a case registered
for the offence punishable under Section 147, 148, 452, 323,
325, 307, 504 and 34 of the Indian Penal Code.

Allegedly, the petitioners alongwith other co-accused
came to the house of the informant armed with axe and a stick
and assaulted the informant causing injury. The informant was
later treated in Maharajganj hospital where the police took the
statement of the informant.



It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. Petitioners have no criminal antecedent as mentioned in para-3 of the bail application. It is further submitted that there is case and counter case between the parties. There is specific allegation against petitioner no. 1 who has assaulted the complainant and injury was found to be grievous in nature.

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

Having regard to the facts and circumstances of the case as there is specific allegation against petitioner no. 1 of assault and injury found was grievous in nature, I am not inclined to grant anticipatory bail to the petitioner no 1. The prayer for grant of anticipatory bail to the petitioner no 1 is hereby rejected.

However, there is also allegation against petitioner no. 2 who assaulted the informant by means of *lathi* and injury found was simple in nature, let the above named petitioner no. 2 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 Daraunda P.S. Case No. 312 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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