

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71916 of 2021

Arising Out of PS. Case No.-117 Year-2021 Thana- RAHUI District- Nalanda

1. Mithlesh Prasad, S/O Late Kishun Mahto R/O Village- Sonsa, P.S.- Rahui, District- Nalanda
2. Raushan Kumar @ Ravi Raushan Kumar, S/O Mithilesh Prasad R/O Village- Sonsa, P.S.- Rahui, District- Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 11.03.2021 while he was cleaning the drain when the petitioners along with Krishna Kumar came armed with lathi, rod and assaulted him on his head causing injury and he became unconscious. However, his life was saved on arrival of the family members.

The learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that there is general and omnibus allegation of



assault against all the accused persons. It is submitted that no specific overt act has been alleged against the petitioners. It is next submitted that the dispute arose on trivial issue and the injuries suffered by the informant is annexed as Annexure-2 to the anticipatory bail application and from perusal of the same, it would manifest that the injuries are simple in nature.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum 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 in connection with Rahui P. S. Case No.117 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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