

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6497 of 2023

Arising Out of PS. Case No.-238 Year-2022 Thana- NIMCHAKBATHANI District- Gaya

1. Rajeev Nayan S/O Ramchandra Prasad @ Ramchandra Yadav Resident of village- Telari, Tola Delli Bigha, P.S.- Neemchak Bathani, District- Gaya.
2. Rekha Nayan W/O Rajeev Nayan Resident of village- Telari, Tola Delli Bigha, P.S.- Neemchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dineshwar Mishra, Advocate

For the Opposite Party/s : Ms.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-05-2023 Heard the learned counsel for the
petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Neemchak Bathani P.S. Case No.238 of 2022, registered for offences under Sections 323, 341, 307, 504, 506, 379, 307 and 34 of the IPC.

The allegation is regarding the petitioners herein having assaulted the informant and his wife with the intention to kill them.

The learned counsel for the petitioners has submitted that the petitioners are innocent,



they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the doctor has not found, in his injury report, any of the injuries, sustained by the injured persons, to be grievous in nature, hence, the petitioners be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the categorical averment made on behalf of the petitioners to the effect that the injuries sustained by the injured persons have been found to be simple in nature, though I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail, however, subject to verification of the injury report by the learned trial Court.



Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Gaya in connection with Neemchak Bathani P.S. Case No.238 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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