

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11600 of 2023

Arising Out of PS. Case No.-240 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Mukesh Ray @ Mukesh Kumar Son of Anirudh Ray R/o Village- Gopalpur, P.S.- Udakishunganj, District- Madhepura.
 2. Subodh Ray @ Subodh Kumar Son of Anirudh Ray R/o Village- Gopalpur, P.S.- Udakishunganj, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Uday Chand Prasad, Advocate
For the State	:	Mr. Jai Narain Thakur, APP
For the Informant	:	Mr. Amrendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioners, learned APP for the State as well as learned counsel appearing on behalf of the informant.

The petitioners apprehend their arrest in connection with Udakishunganj P.S. Case No.240 of 2022, registered for the offences punishable under Sections 341, 323, 307, 354(A), 379, 506 and 34 of the Indian Penal Code.

Petitioner No.1, Mukesh Ray @ Mukesh Kumar is said to have assaulted the nephew of the informant by means of axe on his head causing injury. Petitioner No.2 is said to have assaulted the informant by means of iron rod on his head causing bleeding injury.



Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the injury sustained by the informant is simple in nature.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners by submitting that the injury sustained by the nephew of the informant is grievous in nature.

Considering the fact that petitioner no.1, Mukesh Ray @ Mukesh Kumar assaulted the nephew of the informant by means of axe and the injury sustained by nephew of the informant is grievous in nature, I am not inclined to enlarge petitioner no.1, Mukesh Ray @ Mukesh Kumar on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to petitioner no.1, Mukesh Ray @ Mukesh Kumar is hereby rejected.

So far as petitioner no.2, Subodh Ray @ Subodh Kumar is concerned, considering the fact that petitioner no.2, Subodh Ray @ Subodh Kumar assaulted the informant by means of iron rod on his head and the injury sustained by the



informant is simple in nature, let petitioner no.2, namely, Subodh Ray @ Subodh Kumar, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Udakishunganj, Madhepura in connection with Udakishunganj P.S. Case No.240 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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