

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17417 of 2023

Arising Out of PS. Case No.-199 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

-
1. ANITA DEVI Wife of Sunil Sahni Resident of Village- Manjhaul, Ward No.-9, Durga Asthan, P.S.- Cheriya Bariyarpur (Manjhaul O.P.), District- Begusarai
 2. PRAVEEN KUMAR Son of Sunil Sahni Resident of Village- Manjhaul, Ward No.-9, Durga Asthan, P.S.- Cheriya Bariyarpur (Manjhaul O.P.), District- Begusarai
 3. PRASHANT KUMAR @ GUJLA Son of Sunil Sahni Resident of Village- Manjhaul, Ward No.-9, Durga Asthan, P.S.- Cheriya Bariyarpur (Manjhaul O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-05-2023

Heard the parties.

The petitioners are apprehending arrest in connection with Cheriya Bariyarpur P.S. Case No. 199 of 2022 under sections 147, 148, 149, 323, 448, 307, 354(B), 379, 504, 506 of the Indian Penal Code.

The prosecution story, in brief, is that the informant alleged that the accused persons armed variously came to his house and started abusing his brother. When he objected, the accused Praveen Kumar assaulted with the butt of the pistol causing head injury. Similarly, accused Prashant Kumar assaulted with brick on the head of the brother of the informant. The accused Praveen Kumar and Prince Kumar torn the blouse



of the informant. When Shushil Sahni came to intervene, the accused persons assaulted him with 'lathi' and sticks and accused Sanjay Kumar snatched gold chain from the informant.

It has been submitted by the learned counsel for the petitioner that there is case and counter case. The petitioner's side is the earlier version. Further, injuries have been found simple in nature.

The last submission is that irrespective of the outcome of the present case and without accepting the allegation, they would like to give medical assistance of Rs. 10,000/- to both the injured totaling Rs. 20,000/-.

Learned APP opposes the prayer stating that allegation of assault is there.

Taking into account the aforesaid submission put forward by the learned counsel for the petitioner as also the fact that the injuries are simple in nature and one of the petitioner is lady, this Court is inclined to extend them the privilege of anticipatory bail.

Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the



satisfaction of learned A.C.J.M., Manjhaul, Begusarai, in connection with Cheriya Bariyarpur P.S. Case No. 199 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Ravi/kiran

U		T	
---	--	---	--

