

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16271 of 2023**

Arising Out of PS. Case No.-306 Year-2022 Thana- PATORI District- Samastipur

1. Yogendra Rai @ Yogendar Rai S/o Channar Rai R/V- Mohanpur, P.S.- Shahpur Patori, Distt- Samastipur.
2. Manoj Kumar @ Manoj Rai S/o Singeshwar Rai R/V- Mohanpur, P.S.- Shahpur Patori, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 22-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 323, 324, 341, 385, 447, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that petitioner no.1 assaulted Sachin with *katta* (कत्ता) and petitioner no.2 assaulted Saurabh by rod.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that the injury suffered by the injured is simple in nature. It is further submitted that even the impugned order does



not record about the injury rather the anticipatory bail was rejected on the ground that the assault was on the vital part of the body of both the injured.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 from today, be released on anticipatory bail on furnishing bail bonds 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/successor court in connection with Shahpur Patory P.S. Case No. 306 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned trial court before accepting the bail bonds of the petitioners shall verify the injury report of both Sachin and Saurabh and if the injury of Sachin or Saurabh is found to be grievous then in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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