

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15006 of 2023

Arising Out of PS. Case No.-96 Year-2022 Thana- DHANGAI District- Bhojpur

1. BAHADUR SINGH S/O LATE KISHOR SINGH Resident of Village- Shivpur Bathan, P.S.- Dhangai, District- Bhojpur.
2. VIKASH KUMAR @ BIKASH KUMAR S/O BAHADUR SINGH Resident of Village- Shivpur Bathan, P.S.- Dhangai, District- Bhojpur.
3. RAJA YADAV S/O SURESH SINGH Resident of Village- Sonvarsha, P.S.- Dhangai, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-06-2023 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 341, 323, 504, 307, 379/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case by the informant, it is next submitted that the informant met with an accident and on account of previous dispute took the same as an opportunity to falsely implicate the petitioners.



Learned counsel for the petitioners next submits that Raja assaulted Bali Ram (Uncle of the informant) by lathi causing injury on forehead, thereafter Bahadur assaulted him by lathi causing swelling behind the head and Vikas assaulted by lathi causing injury on elbow. The learned counsel next submits that the informant alleges that the occurrence took place in market place but then not a single witness has supported the case of the prosecution that the informant and his Uncle were assaulted by the petitioners, it is next submitted that occurrence is alleged to have taken place on 24.10.2022 and the FIR was instituted on the same date but then the same was sent before the learned trial court on 10.11.2022 that is after a delay of more than 15 days which further cast an aspersion on the case of the prosecution, it is next submitted that injuries are simple though one of the injuries of Balram on forehead is said to be grievous but then the allegations as alleged does not inspire confidence, when petitioners admittedly are persons with clean antecedent.

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 trial court



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 trial court where the case is pending/successor court in connection with Dhangai P.S. Case No. 96 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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