

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23471 of 2023

Arising Out of PS. Case No.-287 Year-2022 Thana- PATEPUR District- Vaishali

1. GAUTAM KUMAR S/O UMESH RAI R/O VILLAGE- BARDIHA TURKI, P.S- PATEPUR, DISTT.- VAISHALI.
2. UMESH RAI S/O FUDENI RAI R/O VILLAGE- BARDIHA TURKI, P.S- PATEPUR, DISTT.- VAISHALI.
3. BHOLA KUMAR @ BIPIN KUMAR S/O SHRI PRASAD RAY R/O VILLAGE- BARDIHA TURKI, P.S- PATEPUR, DISTT.- VAISHALI.
4. DINESH RAI S/O FUDENI RAI R/O VILLAGE- BARDIHA TURKI, P.S- PATEPUR, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-06-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Patepur P.S. Case No. 287 of 2022 registered for the offence punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having arrived at the mobile shop of the informant on the alleged date and time of occurrence, whereafter they had assaulted the informant, his sons and his



nephew.

The learned counsel for the petitioners submits 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 though the injury report has been submitted in the present case, however, the Doctor has not opined about the injuries, nonetheless, according to the estimation of the petitioners, the injuries, sustained by the injured persons, are not serious in nature.

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 petitioners, taking into the materials available on record as also considering the fact that the petitioners are having a clean antecedent and the Doctor has not opined yet about the nature of the injuries, apart from the fact that the informant has not attributed any motive behind commission of the alleged occurrence, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the 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 CJM, Vaishali, in connection with Patepur P.S.Case No. 287 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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