

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20442 of 2020

Arising Out of PS. Case No.-412 Year-2019 Thana- BAKHTIARPUR District- Saharsa

1. Krishan Kumar Ray @ Krishna Kumar Ray S/O Kailash Prasad R/O Village- Khamoti, P.S.- Bakhtiyarpur, District- Saharsa
2. Brajesh Kumar Ray @ Krishna Kumar Ray S/O Kailash Prasad R/O Village- Khamoti, P.S.- Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri
For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 17-02-2023 Heard learned counsel for the parties.

Learned counsel for the petitioners undertakes to remove the defects, if any, within three weeks.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant by means of farsa on his head as a result of which he fell down on the ground. It is also alleged that petitioners tried to open fire upon the informant but fortunately, it could not fire.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between



the parties and both sides have sustained injury. He submits that the injury found upon the victim is simple in nature. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner no. 2 who assaulted the informant and the injury found upon him is grievous in nature.

Considering the facts and circumstances of the case, let the above named petitioner no. 2 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 the learned court below where the case is pending/successor court in connection with Bakhtiyarpur P.S. Case No. 412 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as petitioner no. 1 is concerned, there is specific allegation against the petitioner no. 1 to assault the informant and the injury found upon him is grievous in nature, I am not inclined to enlarge the petitioner no. 1 on bail.



Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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