

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27323 of 2023

Arising Out of PS. Case No.-143 Year-2022 Thana- BALTHAR District- West Champaran

1. Raish Gaddi Son Of Manir Gaddi R/O Village- Bhawauri, Ward No.12, P.S.- Balthar, District- West Champaran
2. Ramesh Prasad Son Of Late Yugul Prasad R/O Village- Bhawauri, Ward No.12, P.S.- Balthar, District- West Champaran
3. Ajay Prasad Son Of Late Yugul Prasad R/O Village- Bhawauri, Ward No.12, P.S.- Balthar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s :	Mr. Kalyan Shankar, APP
	Mr. Mithilesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-07-2023 1. Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354, 307, 447, 379, 504 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioner no.1 is a person with clean antecedent, petitioner no.2 has antecedent of one case, petitioner no.3 has antecedent of two cases and the informant alleges that petitioner no.1 assaulted him by an iron rod causing injury over his back, nose, waist and chest, Manir Gaddi tried to strangle him, thereafter petitioner



nos.2 and 3 assaulted Hoshiyar by an iron rod causing injury over eyes and Laddu assaulted Sobha with fist.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegations as alleged in the FIR it would manifest that some previous enmity was existing in between the informant and the petitioners, it is also submitted that the injury suffered by the injured is simple in nature though the assault committed from the side of the informant causing injury to the side of the petitioners is grievous.

5. Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners but are not in a position to rebut the submission of the learned counsel for the petitioners that the injuries suffered by the injured is simple in nature.

6. 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 Balthar
P.S. Case No. 143 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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