

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28696 of 2023

Arising Out of PS. Case No.-379 Year-2020 Thana- SIMRI District- Buxar

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1. Vishwanath Ray Son of Uma Shankar Ray R/V- Ekauna PS- Simri Dist- Buxar
 2. Bhairavnath Ray @ Bhairav Ray son of Srikant Ray R/V- Ekauna PS- Simri Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashwini Kumar Rai

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioners and
learned counsel for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504, 506, 147 and 149 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, petitioner no. 1 assaulted with *Farsa* on the head of Kamal Narayan Rai and petitioner no. 2 assaulted the informant with country made pistol causing injury over his right eye.

4. It is submitted that both parties are *Gotia*. There is case and counter case. Both parties sustained injuries. The injury



attributed to Vishwanath Ray petitioner no. 1 is simple in nature whereas, injury caused by Bhairavnath Ray petitioner no. 2 is grievous in nature. Petitioners claim clean antecedents.

5. So far the case of Bhairavnath Ray @ Bhairav Ray petitioner no. 2 is concerned, injury caused by him is grievous in nature, therefore, I am not inclined to enlarge him on anticipatory bail. Accordingly, the same is rejected.

6. Considering the fact that injury attributed to Vishwanath Ray petitioner no. 1 is simple in nature, therefore, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IVth, Buxar in connection with Simri P.S. Case No. 379 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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