

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28519 of 2023

Arising Out of PS. Case No.-181 Year-2022 Thana- VIDYAPATINAGAR District-
Samastipur

-
1. RANJEET KUMAR MAHTO @ RANJEET KUMAR @ RAJEEV KUMAR son of Sunil Mahto @ Sunil Kumar Mahto Village- Balkrishnpur Madwa ward no-7, Ps- Vidyapati Nagar Dist- Samastipur
 2. Chatni Kumar @ Chhatni Kumar @ Sanjeev Kumar son of Sunil Mahto @ Sunil Kumar Mahto Village- Balkrishnpur Madwa ward no-7, Ps- Vidyapati Nagar Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-07-2023 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 147, 148, 149, 341, 323, 325, 307, 379 and 504 of the Indian Penal Code.
3. The informant alleges that accused persons came and assaulted him and his brother, further the reason for the occurrence is that he saved Binod when he was being assaulted by the accused persons on 25.12.2022.
4. The learned counsel for the petitioners submits that petitioners are person with clean antecedent and have been



falsely implicated in the present case, it is next submitted that there is a delay of three days in instituting the FIR, further though allegation is of assault but then there is no specific allegation against the petitioners of assaulting.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners and the learned counsel for the informant submits that from perusal of the impugned order it would manifest that the injured has suffered five injuries and the opinion is reserved. It is further submitted that the nature of injury as described in the impugned order amply reflects that the injuries are grievous in nature though the impugned order does not record whether the injuries were simple or grievous 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 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 Vidyapati Nagar P.S. Case No. 181 of 2022 subject to the conditions as



laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned trial Court before accepting the bail bonds of the petitioner shall verify the injury report and if it is found that any injury suffered by the injured is grievous and is on vital part of the body, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

GauravSinha/-

U		T	
---	--	---	--

