

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30592 of 2023

Arising Out of PS. Case No.-321 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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1. BAIDYANATH YADAV Son of Late Bhullur Yadav Resident of mohalla - Pragatinagar (Kotwali Chowk), Ward no. 30, P.S. - Madhubani, Distt. - Madhubani
 2. Saroj Prasad @ Saroj Kumar Prasad Son of Nagendra Prasad Resident of village - Sripur Hati, P.S. - Pandaul, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-07-2023 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, 379, 307, 325, 504 of the Indian Penal Code.
3. The informant alleges that he had gone to collect his wages to the house of Alok, when petitioner no. 1 locked him in a room and Alok assaulted by an iron rod causing injury on head, thereafter petitioner no. 1 assaulted by an iron rod on his back and petitioner no. 2 assaulted him by an iron rod on his right finger and thereafter accused persons snatched Rs. 20,000/-.



4. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no. 1 is 71 years of age and have been falsely implicated in the present case, it is next submitted that no occurrence as alleged ever took place, it is further submitted that it absolutely does not stand to reason that a person who had gone to seek his wages would carry Rs. 20,000/- with him, it is thus submitted that an attempt has been made to implicate the petitioner falsely when petitioner no. 1 is aged about 71 years and has remained a person with clean antecedent all throughout his life when all of a sudden on account of institution of the present FIR he has been made a criminal, it is next submitted that from perusal of the injury report it would manifest that the injury nos. 1 and 2 are simple in nature and injury no. 3 i.e., pain in hand and forearm is said to be grievous.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners but are not in a position to rebut the submission of the learned counsel for the petitioner that the injuries suffered are simple and the grievous injury is not on vital part of the body.

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 Madhubani Town P.S. Case No. 321 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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