

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33921 of 2023**

Arising Out of PS. Case No.-543 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

1. Satendra Singh @ Satyendra Pratap Singh S/O Late Jagarnath Singh R/O Village- Chakhasua, P.S- Kuchaikot, Distt.- Gopalganj.
2. Abhiranjan Singh @ Abhiranjan Prasad Singh @ Prem Singh S/O Kameshwar Singh R/O Village- Chakhasua, P.S- Kuchaikot, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      21-07-2023                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

02. Let the defect(s), if any, as pointed out by the  
office, be removed within a period of four weeks from today.

03. In the present case, the petitioners are  
apprehending their arrest in connection with Kuchaikot P.S.  
Case No. 543 of 20222, registered on 21.12.2022, for the  
alleged offence under Sections 341, 323, 324, 325, 307, 447,  
504, 506/34 of the Indian Penal Code.

04. As per prosecution case, the petitioners and other  
co-accused persons armed with hockey stick, iron rod, *lathi* and  
knife came to the house of the informant and started assaulting  
him. When the son of the informant tried to save him, co-



accused struck him with iron rod on his head, causing fracture on his head. Allegation against petitioner No.2 is that he assaulted the informant's son on his leg with a hockey stick and the petitioner No. 1 gave a dab blow to the informant's son but he defended himself and stopped the same with his hand. Thereafter, the assailants fled away from the spot.

05. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. No occurrence as allege has ever taken place. The instant case has been lodged after three days, for which, there is no explanation. Earlier vide Kuchaikot P.S. Case No. 539 of 2022, the petitioner No. 1 filed a case against the informant and his family members under Sections 341, 323, 324, 307, 448, 504, 506/34 of the Indian Penal Code on 19.12.2022 for an occurrence of 18.12.2022. In retaliation thereof, on 21.12.2022, the informant lodged the instant case. The petitioners' side have received a number of injuries, which are grievous in nature. Petitioner No. 2 also received a knife injury. Learned counsel further submits that the injures of informant are only pain and swelling where the injuries of the son of the informant is simple in nature except one which is said to be grievous.

06. Learned A.P.P. for the State opposes the prayer for



anticipatory bail.

07. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the earlier case of the petitioners along with unexplained injuries of the petitioner No.2 and further considering the possibility of false implication, let the petitioners, above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Gopalganj in connection with Kuchaikot P.P.S. Case No. 543 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

**(Arun Kumar Jha, J)**

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