

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43263 of 2023

Arising Out of PS. Case No.-61 Year-2023 Thana- DAUDNAGAR District- Aurangabad

1. Sudhanshu Kumar Son of Krishna Prasad, Resident of Village - Tarar, P.S.- Daudnagar, District - Aurangabad.
2. Dilip Kumar @ Lala Son of Nand Prasad, Resident of Village - Tarar, P.S.- Daudnagar, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Vinay Mistry, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Daudnagar P.S. Case No. 61 of 2023 dated 30.01.2023, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 354, 504 and 506 of the Indian Penal Code pending in the learned Court below.

3. As per the prosecution story, the petitioners while in drunken state assaulted the son of the informant. It is further alleged that after the incident the petitioners along with other co-accused persons came to the house of the informant and assaulted him and his son. It is also alleged that Dileep



Kumar caught the informant from behind and Sudhanshu Kumar gave *gada* blow on the head of the informant. Thereafter, other co-accused persons armed with *lathi*, *danda*, *hockey* and *bricks* assaulted the wife of the informant and his other family members.

4. Learned counsel for the petitioner submits that the petitioners have falsely been implicated in the present case and petitioners have no criminal antecedents as mentioned in the para-3 of the bail application. It is further submitted that the allegation against petitioner no. 1 is that he assaulted the informant by means of *gada* but the injury was found to be simple in nature and allegation against petitioner no. 2 is that he caught hold of the informant.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case and the fact that the injury was found to be simple in nature, I am inclined to grant anticipatory bail to the petitioners. Accordingly, let the petitioners, named above, in the event of their arrest/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. 25,000/-



(Rupees Twenty-Five 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 **Daudnagar P.S. Case No. 61 of 2023**, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Shahnawaz/-

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