

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40401 of 2023

Arising Out of PS. Case No.-173 Year-2022 Thana- GURARU District- Gaya

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1. Arbind Kumar S/O Sri Ram Pravesh Prasad R/O Village- Rukunpur, Ps. Guraru, Dist. Gaya
 2. Rustam Kumar @ Budhawa S/O Arbind Kumar R/O Village- Rukunpur, Ps. Guraru, Dist. Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Veer, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 02-08-2023 1. Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Guraru P.S. Case No. 173 of 2022 registered for the offences punishable under Sections 341, 323, 379, 337, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that Arvind assaulted by an iron rod causing injury on head due to which he fell causing injury on thumb of right hand, thereafter Arvind assaulted informant's uncle, an Advocate, by fist and Rustam assaulted by buckle of belt and thereafter Arvind took Rs. 5,000/-.

4. Learned counsel for the petitioners submits that



petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the FIR it would manifest that the date of occurrence is 05.10.2022 but the FIR was sent to the court after a delay of more than ten days i.e. on 15.10.2022 which casts an aspersion on the case of the persecution, it is further submitted that even the impugned order does not record about any injury of the informant or his uncle, further the petitioners and the informant are *gotias* and thus are related.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 Court below 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 court below where the case is pending/successor court in connection with Guraru P.S. Case No. 173 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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