

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48464 of 2023

Arising Out of PS. Case No.-296 Year-2021 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

1. Ganesh Das Son of Late Gujo Das Resident of Village- Mirza Tola, Ward No. 11, Ps- Simari Bakhtiyarpur, Distt- Saharsa
2. Guddu Kumar @ Praveen Kumar Son of Yogendra Das Resident of Village- Mirza Tola, Ward No. 11, Ps- Simari Bakhtiyarpur, Distt- Saharsa
3. Mangal Das @ Sanjeev Kumar Son of Ganesh Das Resident of Village- Mirza Tola, Ward No. 11, Ps- Simari Bakhtiyarpur, Distt- Saharsa
4. Sujeet Kumar @ Sujeet Das Son of Badri Das Resident of Village- Mirza Tola, Ward No. 11, Ps- Simari Bakhtiyarpur, Distt- Saharsa
5. Biren Kumar @ Biren Das Son of Upendra Das Resident of Village- Nariyar, Ps- Saharsa Sadar And Distt- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioners and the
State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 308, 385, 354B of the Indian Penal Code.

3. As per prosecution case, on the alleged dated and time of the occurrence, all the F.I.R. named accused persons including these petitioners, armed with weapons, came at the door of the informant and assaulted him. It is alleged that on the order of petitioner No. 2, petitioner No. 1 assaulted the informant on his head by *farsa* thereafter, all the accused



persons assaulted him by means of iron rod. When mother of the informant came to rescue him, petitioner No. 3 and co-accused Bholu Das assaulted her too and tried to outrage her modesty. It is further alleged that younger brother of the informant was also assaulted by the accused persons.

4. Learned counsel for the petitioners submits that allegation of assault is general and omnibus and doctor has found the injury to be simple in nature. Petitioners have got clean antecedent.

5. Considering the simple nature of injury and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Bakhtiyarpur P. S. Case No. 296 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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