

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47937 of 2023

Arising Out of PS. Case No.-309 Year-2022 Thana- VAISHALI District- Vaishali

1. Vikash Kumar Son Of Ram Ikwai Ray Resident Of Village- Kailpatti, Ps- Saraiya, Distt- Muzaffarpur
2. Nitish Kumar @ Nitesh Kumar Son Of Ram Ikwai Ray Resident Of Village- Kailpatti, Ps- Saraiya, Distt- Muzaffarpur
3. Manjeet Kumar Son Of Jay Lal Ray Resident Of Village- Kailpatti, Ps- Saraiya, Distt- Muzaffarpur
4. Ajit Kumar Son Of Dharmdev Rai Resident Of Village- Kailpatti, Ps- Saraiya, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 11-08-2023 1. Heard the learned counsel for the petitioners and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Vaishali P.S. Case No.309 of 2022, registered for offences under Sections 341, 323, 324, 307, 504 and 506/34 of the IPC.
3. The allegation is regarding the informant having taken his niece to a doctor on 07.08.2023, and on the way, the accused persons, including the



petitioners herein had surrounded them, whereafter they had assaulted the informant.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted by referring to the injury report annexed as Annexure-2 to the present petition that the injuries sustained by the informant have been found to be simple in nature, hence the petitioners be granted the privilege of anticipatory bail.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against all the petitioners, apart from the fact that injuries sustained by the informant have



been found to be simple in nature, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

7. Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No.309 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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