

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48063 of 2023

Arising Out of PS. Case No.-185 Year-2021 Thana- BARGAINIA District- Sitamarhi

1. BADRI SINGH SON OF LATE RAMLAKHAN R/O VILLAGE- ASOGI, WARD NO. 3, P.S.- BAIRGANIA, DISTRICT- SITAMARHI
2. DHIRAJ KUMAR @ DHIRAJ KUMAR SINGH SON OF BADRI SINGH R/O VILLAGE- ASOGI, WARD NO. 3, P.S.- BAIRGANIA, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 307, 323 and some other ancillary Sections of the Indian Penal Code.

3. As per the prosecution case, on 30/08/2021 while the informant was returning after walking, on the way, these petitioners along with other accused persons intercepted the informant and on the order of petitioner No.1 petitioner No.2 inflicted Danda blow on his shoulder and thereafter the accused persons fled away after seeing the people.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been



implicated in the case. It is further submitted that there is no allegation of assault against petitioner No.1 and he is only alleged to be order giver and though petitioner No.2 is alleged to have assaulted the informant with Danda but there is no injury report on record. Petitioner No.1 is Chief Councilor of Nagar Parishad, Bairgania and he defeated the informant in the election and the informant in order to take revenge lodged this false and concocted case.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail.

6. Considering the facts of the case and nature of accusation against the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Bairgania PS case No. 185/ 2021, subject to conditions laid down u/s 438(2) of the Cr.P. C.

(Prabhat Kumar Singh, J)

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