

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47724 of 2022

Arising Out of PS. Case No.-82 Year-2022 Thana- CHENARI District- Rohtas

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1. JITENDRA PRASAD
 2. Yogeshwar Prasad
Both sons of Nirmal Prasad R/o village- Bilashpur, P.S.- Chenari, District-
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners apprehend their arrest in connection
with Chenari P.S. Case No.82 of 2022 instituted under Sections
341,323,307,504,506 & 34 of the IPC.

As per the prosecution story, the accused persons
armed variously attacked the informant's side and allegation
against the petitioner Yogeshwar Prasad is that he was one of the
person who hit on the head of the informant's brother causing
injury to him and Jitendra Prasad assaulted the son of the
informant.

Learned counsel for the petitioners submit that
although there is allegation of assault by the two petitioners, as



per the injury report which is part of the present petition the same have been found to be simple in nature.

Learned APP on the other hand opposes the prayer for anticipatory bail stating that there is allegation of assault.

Taking into account the fact that the petitioners are young boys of 18-19 years of age, they are doing their graduation courses, none of them are having criminal antecedents and although there is allegation of assault, as per the injury report, the same have been found to be simple in nature, this Court is inclined to grant them relief.

Let the petitioners be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Chenari P.S. Case No.82 of 2022 to the satisfaction of learned A.C.J.M., Jnd-cum-Sub-Judge,Xth, Sasaram, Rohtas, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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