

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48929 of 2023

Arising Out of PS. Case No.-107 Year-2023 Thana- OBRA District- Aurangabad

1. Manish Kumar Son of Mithlesh Kumar, Resident of Village- Kajhama, P.O.- Aranda, P.S.- Obra, Dist- Aurangabad
2. Ankit Kumar @ Ankit Kumar Singh Son of Gajendra Singh, Resident of Village- Kajhama, P.O.- Aranda, P.S.- Obra, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 11-08-2023 Heard learned Counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 379, 307, 325/34 of the Indian Penal Code.

3. As per prosecution case, F.I.R. has been lodged against six named accused persons including the present petitioners. In the F.I.R., it has been alleged by the informant that the above named six accused persons have reached near the temple and started abusing the informant. The allegation against the petitioner no.2 is that he has attacked on the informant by *lathi* on his head but the informant has saved his head by hand



and injury took place in the hand and the allegation against the petitioner no.1 is that he has snatched the ring of the informant.

4. Learned counsel for the petitioners that the injury report of Santosh Kumar Singh has been annexed as Annexure P-2 in which it has been stated that injury is simple in nature. He further submits that in paragraph no.8 of the application he has specifically narrated that for the same date and place of occurrence, there are case and counter case, the present case has been filed by the informant side i.e. Obra P.S. Case No.107 of 2023 and counter case bearing Obra P.S. Case No.108 of 2023 has been filed by the petitioners' side upon the informant's side. Learned counsel submits that petitioners and informant both are resident of same village and are *gotiya*. He also submits that with a view to save the skin from the earlier case, the present case has been filed. He further submits that antecedents of petitioners are clean.

5. Learned A.P.P. for the State opposes the prayer for bail.

5. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of



Rs.30,000/- (Rupees Thirty Thousand) to the satisfaction of the
learned S.D.J.M., Aurangabad, in connection with Obra P.S.
Case No.107 of 2023, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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