

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52366 of 2023

Arising Out of PS. Case No.-133 Year-2023 Thana- TARAIYA District- Saran

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1. LALJI RAY @ LALJEE RAI S/O LATE GHAMANDI RAY R/O VILLAGE- PIPRA, PS. TARAIYA, DIST. SARAN AT CHHAPRA
 2. DINESH RAI S/O LALJI RAY @ LALJEE RAI R/O VILLAGE- PIPRA, PS. TARAIYA, DIST. SARAN AT CHHAPRA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rananjay Kumar
For the Opposite Party/s :	Mr. Anil Kumar
	Mr. Krishna Kumar Yadav

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioners, learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

2. The petitioners apprehends their arrest in a case registered for the offence punishable under Sections 307 and other allied Sections of the Indian Penal Code.

3. The allegation against the petitioners is that the petitioners assaulted the informant by means of several weapons due to which he sustained injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that petitioners and informant are own brothers. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no.1 namely, Lalji Ray to assault the informant due to which he sustained grievous injury on his nose.

6. Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, as the injury attributed towards the petitioner nos.2 is simple in nature, let the above named petitioner nos.2, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Taraiya P.S. Case



No.133 of 2023, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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