

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52587 of 2022

Arising Out of PS. Case No.-692 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. DINESH RAI, S/o Nemi Rai, R/o village- Bankat, Tola Bitaha, P.S.- Muffasil, District-
East Champaran, Motihari
 2. Munna Rai, S/o Parash Rai, R/o village- Bankat, Tola Bitaha, P.S.- Muffasil, District-
East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-01-2023 Learned counsel for the petitioners is permitted to
remove the defect(s), as pointed out by the office, if any,
within a period of three weeks from today.

Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The Petitioners are apprehending their arrest in a
case registered for the offences punishable u/s 143, 341, 323,
307 and 326 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, the petitioners and the
co-accused persons surrounded the informant and the co-
accused opened fire from the gun on the informant with intent
to kill him which also hit the right leg of the informant.



Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. He has submitted that the injured was treated in private hospital where the injury report of the injured shows entry wound over right leg and exit from the back of the calf muscle of the right leg. He has submitted that it does reflect that the injury is grievous in nature as per Section 320 of the I.P.C. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners by submitting that the specific allegation against the petitioners and the injury is found on non-vital part of the body though the injury is grievous in nature.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran at Motihari, in connection with Muffasil P.S. Case No. 692 of 2021, subject to conditions as



laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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