

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54552 of 2023

Arising Out of PS. Case No.-336 Year-2023 Thana- BIHTA District- Patna

1. JITENDRA MISTRY Son of Mehi Lal Mistry Resident of Village-Anandpur, P.S.-Bihta, District-Patna
2. DEEPAK KUMAR Son of Nagendra Mistry Resident of Village-Anandpur, P.S.-Bihta, District-Patna.
3. MANOJ KUMAR Son of Nagendra Mistry Resident of Village-Anandpur, P.S.-Bihta, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar , Advocate

For the Opposite Party/s : Mr. Parmanand Kumar , Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 342, 307, 504, 506, 379 and 34 of the Indian Penal Code.

3. Allegation against petitioner Nos. 2 and 3 is that they assaulted the informant (Kamaldeo Mistry) and one Pintu kumar by means of iron rod in which they sustained injury .

4. It is submitted on behalf of the petitioners that the injury caused by petitioner No. 3 is simple in nature. So far as, petitioner No. 1 is concerned there is no specific overt act



alleged against him. Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition and submits that injury caused by petitioner No. 2 is found to be grievous in nature .

6. Considering the fact of the case that injury caused by petitioner No. 2 is found to be grievous in nature , prayer for pre-arrest bail of petitioner No. 2 is rejected.

7. Considering the fact that the injury caused by petitioner No. 3 is simple in nature and there is no specific overt act is alleged against petitioner No. 1 , in the event of arrest or surrender within six weeks from today, let the petitioner Nos. 1 and 3, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned A . C . J . M-I, Danapur in connection with Bihta P.S. Case No. 336 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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