

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61238 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- HAYAGHAT District- Darbhanga

1. ANIL SINGH S/O YUGESHWAR SINGH R/O VILLAGE- HATHAURI, WARD NO. 1, PS. HAYAGHAT, DIST. DARBHANGA
2. CHITRANJAN SINGH S/O LATE SUDHIR SINGH R/O VILLAGE- HATHAURI, WARD NO. 1, PS. HAYAGHAT, DIST. DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-10-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

2. This is an application for grant of anticipatory bail in connection with Hayaghat P.S. Case No. 26 of 2023 (GR No. 634 of 2023), registered for the offence punishable under Sections 341, 323, 354, 308, 504, 506/34 of the Indian Penal Code.

3. The allegation is regarding the accused persons including the petitioners herein having arrived at the house of the informant on the alleged date and time of occurrence, whereafter a dispute had erupted, when the informant had asked for his labour charges and then, the accused persons are stated to



have assaulted the informant and his wife.

4. The learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is submitted that as far as the petitioner no. 2 is concerned, he is having a clean antecedent and as far as the petitioner no. 1 is concerned, though he is an accused in one another case, but he is on bail in the said case. It is also submitted that a bare perusal of the impugned order dated 17.7.2023 would show that two injuries, inflicted upon the informant, have been found to be simple in nature by the Doctor. Thus, it is submitted that the petitioners be granted the privilege of anticipatory bail.

5. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioners and the injuries, found on the person of the informant, have been found to be simple in nature, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.



7. Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Hayaghat P.S.Case No. 26 of 2023 (G.R.No. 634 of 2023), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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