

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66692 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- DIGHWARA District- Saran

1. SHAILESH KUMAR RAI @ SHAILESH KR.RAI SON OF BHOLA RAI
RESIDENT OF VILLAGE- SAIDPUR TOLA BAGAH , PS- DIGH-
WARA, DIST- SARAN AT CHAPRA
2. SANTOSH RAI SON OF BHOLA RAI RESIDENT OF VILLAGE- SAID-
PUR TOLA BAGAH , PS- DIGHWARA, DIST- SARAN AT CHAPRA
3. SATENDRA RAI @ SATENDRA KUMAR @ CHHATI LAL SON OF
BHOLA RAI RESIDENT OF VILLAGE- SAIDPUR TOLA BAGAH , PS-
DIGHWARA, DIST- SARAN AT CHAPRA
4. CHANDAN RAI @ CHANDAN KUMAR SON OF BHOLA RAI RESI-
DENT OF VILLAGE- SAIDPUR TOLA BAGAH , PS- DIGHWARA,
DIST- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rajani Kumari

For the Opposite Party/s: Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-11-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case regis-
tered for the offence punishable under Sections 147, 148, 149,
323, 324, 325, 307, 504, 506 of the Indian Penal Code.

3. The allegation against the petitioners is that the peti-
tioners assaulted the informant's side by means of several
weapons due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioners
that petitioners are quite innocent and have committed no of-



fence. 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. There is no specific overt act against the petitioners. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner nos.2, 3 and 4, to assault the informant and his family members due to which some of them sustained grievous injuries.

6. Having regard to the facts and circumstances of the case as well as considering that the petitioner nos.2, 3 and 4 are the author of grievous injuries, I am not inclined to enlarge the petitioner nos.2, 3 and 4 on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. However, as there is no specific overt act against the petitioner no.1, let the above named petitioner no.1, 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/Suc-



cessor Court in connection with Dighwara P.S. Case No.221 of 2022, 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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