

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66001 of 2023

Arising Out of PS. Case No.-131 Year-2023 Thana- DORIGANJ District- Saran

1. Raju Rai son of Shivjee Village- Gheghara Ps- Muffasil Dist- Saran
2. Rambabu Rai son of Late Ram Baran Rai Village- Salempur Ps- Doriganj Dist- Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Doriganj P.S. Case No. 131 of 2023, registered on 02.05.2023, for the alleged offence under Sections 341, 323, 324, 325, 307, 504, 34 of the Indian Penal Code.

03. As per prosecution case, the petitioners and other co-accused persons assaulted the informant and one other person with knife and rod, causing fracture of left hand of the informant and injury on the chest of another person, Jairam Rai.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioners are co-villagers and agnates of the



informant and there is previous land dispute between the parties. The allegation against the petitioner no. 1 is that he assaulted Jairam Ray with knife but the injury report of Jairam Rai shows a superficial wound of size 1/2"x1/4"x skin and the nature of injury is stated to be simple. There is allegation against petitioner no. 2 that he assaulted one Bhavnath Rai by means of iron rod, but only one abrasion has found on the left knee of the victim. Thus, learned counsel submits that there was no intention to cause death and it appears to be a case of minor scuffle. The petitioners are having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the non-serious nature of injury stated to be caused by the petitioners and further considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class/concerned court, Saran in



connection with Doriganj P.S. Case No. 131 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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