

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63478 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- BHAGWANPUR District- Vaishali

1. Sukesh Ray @ Sumesh Ray Son of Madan Ray R/v- Sathiauta, P.S.- Bhagwanpur, District- Vaishali
2. Neeraj Kumar Son of Madan Ray R/v- Sathiauta, P.S.- Bhagwanpur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 307, 379 and other allied sections of the Indian Penal Code.

As per the prosecution case, petitioner no. 1 assaulted the informant with lathi on his head which hit his hand causing fracture in his left hand. Petitioner no. 2 assaulted the daughters of informant by *Farsa* causing cut injury. Injury attributed to petitioner no. 1 is grievous in nature and petitioner no. 2 is simple in nature.

It is submitted that petitioners have been falsely



implicated in this case. Both parties are agnates. There is general and omnibus allegation. Petitioners claim clean antecedents.

Considering the fact that injury attributed to petitioner no. 2 is simple in nature, Neeraj Kumar petitioner no. 2, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 175 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of Sukesh Ray @ Sumesh Ray petitioner no. 1 is concerned, the injury attributed against him is grievous in nature, I am not inclined to enlarge him on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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