

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70882 of 2022

Arising Out of PS. Case No.-184 Year-2022 Thana- BHELDI District- Saran

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1. GUDDU RAI Son of Bhola Rai R/v- Basatpur Chakman, P.S.- Bheldi, District- Saran at Chapra
 2. CHANDAN KUMAR Son of Bhola Rai R/v- Basatpur Chakman, P.S.- Bheldi, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-07-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 326, 307, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners assaulted the informant's side by means of several weapons due to which they sustained injuries. It is also alleged that the petitioner no.2 tried to outrage the modesty of one Seema Kumari.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. 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. There is an admitted land dispute between the parties. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no.1 namely, Guddu Rai to assault the informant by means of sword due to which he sustained grievous injury.

Having regard to the facts and circumstances of the case as the injury attributed toward the petitioner no.1 has been found to be of grievous nature, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, as there is general and omnibus allegation against the petitioner no.2, let the above named petitioner no.2, 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/Successor Court in connection with Bheldi P.S. Case
No.184 of 2022, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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