

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80284 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- PIRO District- Bhojpur

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1. JAGDISH NARAYAN SINGH Son of Late Achyautanand Singh R/o vill - Akaruan, P.S. - Piro, Distt. - Bhojpur
 2. Chhotu Singh @ Ranjit Singh @ Ranjit Kumar Son of Jagdish Narayan Singh @ Jagdish Singh R/o vill - Akaruan, P.S. - Piro, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioner no.1 is said to have assaulted Vikas Singh by means of but of rifle and stick. Petitioner no.2 is said to have assaulted Deepak Roy by means of rod and stock causing injuries on hand and hip.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is case and counter case



between the parties. He submits that there is general and omnibus allegations levelled against the petitioners. He further submits that from perusal of the injury report the injury found upon the informant is simple in nature. He further submits that petitioner no.1 has got two criminal antecedents and petitioner no.2 has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail and submits that petitioner no.2 assaulted Deepak Roy and injury found upon him is grievous in nature which is clear from the impugned order itself.

6. Considering the facts and circumstances of the case and the fact that the injuries found upon the Deepak Roy are grievous in nature, I am not inclined to enlarge the petitioner no.2 on bail in connection with Piro P.S. Case No. 351 of 2023. Accordingly, his prayer for anticipatory bail is hereby rejected.

7. Considering the aforesaid facts and circumstances and the fact that the the injury found upon Vikas Singh is simple in nature, let the petitioner no.1, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Piro P.S. Case No.351 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. However, if the petitioner no.2 surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

9. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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