

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6462 of 2023

Arising Out of PS. Case No.-151 Year-2022 Thana- THARTHARI District- Nalanda

1. BINOD JADAV @ BINOD YADAV SON OF LATE BALESHWAR PRASAD R/O VILLAGE- ATWAL CHAK, P.S.- THARTHARI, DISTRICT- NALANDA.
2. BIPIN KUMAR SON OF BINOD JADAV @ BINOD YADAV R/O VILLAGE- ATWAL CHAK, P.S.- THARTHARI, DISTRICT- NALANDA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Shyamal Prakash, Advocate
For the State	:	Mr. Arun Kumar Pandey, APP
For the Informant	:	Mr. Rajeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioners, learned APP for the State as well as learned counsel appearing on behalf of the informant.

The petitioners apprehend their arrest in connection with Tharthari P.S. Case No.151 of 2022, registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

Petitioner No.2 is said to have assaulted the informant by means of iron rod causing injuries to her. When the sister-in-law (Gotni) of the informant came to save the informant, petitioner no.1 is said to have assaulted her also by means of iron rod on her head causing injury in her head.



Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioner no.1 has got no criminal antecedent whereas petitioner no.2 has got one criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is case and counter case between the parties and both sides sustained injuries.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for grant of anticipatory bail to the petitioners by submitting that one of the injuries sustained by the informant is grievous in nature.

Taking into consideration the fact that petitioner no.2, Bipin Kumar has assaulted the informant by means of iron rod and the informant sustained one grievous injury, I am not inclined to enlarge petitioner no.2, namely, Bipin Kumar on anticipatory bail.

Accordingly, the prayer for grant of anticipatory bail to petitioner no.2, Bipin Kumar is hereby rejected.

Taking into consideration the fact that petitioner no.1, Binod Jadav @ Binod Yadav assaulted sister-in-law (Gotni) of the informant by means of iron rod and the injury sustained by sister-in-law (Gotni) of the informant is simple in nature, let



petitioner no.1, namely, Binod Jadav @ Binod Yadav, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa, Nalanda in connection with Tharthari P.S. Case No.151 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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