

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13659 of 2024**

Arising Out of PS. Case No.-84 Year-2022 Thana- CHHATAPUR District- Supaul

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1. NAGESHWAR RAM S/O DEBU RAM R/O VILLAGE- DHIBAHA WARD NO. 9, P.S- CHHATAPUR, DISTT.- SUPAUL.
  2. RAJESH RAM S/O AMARLAL RAM R/O VILLAGE- DHIBAHA WARD NO. 9, P.S- CHHATAPUR, DISTT.- SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Surendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      12-03-2024                      Heard the parties.

2. The petitioners are apprehending arrest in connection with Chhatapur P.S. Case No. 84 of 2022 instituted under Sections 341, 447, 448, 323, 307, 354b, 379, 504, 506 and 34 of the Indian Penal Code lodged on 19.3.2022 by the informant, Lalan Ram.

3. As per the prosecution story, the informant has alleged that the accused persons came to his place and assaulted. The allegation against this petitioner no.1 is of using Farsa to assault the informant while the petitioner no.2 assaulted Sunil. Accordingly the FIR.

4. Learned counsel for the petitioners submit that the



allegation dates back to 7.3.2022 but the FIR has been lodged on 19.3.2022 and nothing has been recorded in the FIR for the said delay. The further submission is that the injuries have been found to be simple in nature and they do not have criminal antecedents.

5. Learned APP opposes the prayer stating that the allegation of assault is on the informant and Sunil.

6. Taking into account the fact, the submission put forward by the learned counsel for the petitioners/State as also the fact that the injuries have been found to be simple in nature, there is inordinate delay in lodging of the FIR, this Court is inclined to extend them privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Chhatapur P.S. Case No. 84 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Supaul subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show



his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

**(Rajiv Roy, J)**

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