

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15537 of 2024

Arising Out of PS. Case No.-48 Year-2018 Thana- SIMRI District- Buxar

1. Ashok Rai Son of late Jay Ram Roy Resident of vill.-Nagpura, P.S.-Simri, Distt.-Buxar
2. Arun Rai Son of Awadh Rai Resident of vill.-Nagpura, P.S.-Simri, Distt.-Buxar
3. Awadh Rai Son of late Mukha Rai Resident of vill.-Nagpura, P.S.-Simri, Distt.-Buxar
4. Rajendra Rai Son of Brij Bihari Rai Resident of vill.-Nagpura, P.S.-Simri, Distt.-Buxar
5. Tuntun Rai Son of Brij Bihari Rai Resident of vill.-Nagpura, P.S.-Simri, Distt.-Buxar
6. Raj Kumar Rai @ Kariya Rai Son of Brij Bihari Rai Resident of vill.-Nagpura, P.S.-Simri, Distt.-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr.Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Simri P.S. Case No. 48 of 2018 instituted under Sections 147, 148, 149, 341, 323, 337, 307, 427, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 26.02.2018 at about 09:00 A.M., when the informant was constructing boundary



wall on his personal land, the petitioners and other accused persons armed with *lathi*, *danda* and axe came there and started abusing him and when the informant protested against it, they assaulted him with axe due to which he sustained head injury. It is further alleged that when the brothers of the informant came there to rescue him, they were also assaulted by the accused persons.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He further submits that both the parties are neighbours and the injury report as per impugned order shows that injuries are found simple in nature. He also submits that the petitioners have no criminal antecedent and there is also no chance of absconding or tampering with the evidence of the prosecution.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned



Chief Judicial Magistrate, Buxar in connection with Simri P.S.
Case No. 48 of 2018, subject to the conditions laid down in
Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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