

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23577 of 2024

Arising Out of PS. Case No.-518 Year-2023 Thana- MADHAURAH District- Saran

1. SHEO NATH RAY S/O- THAKUR RAY R/O- VILLAGE- MARHOWRAH PURANI BAZAR WARD NO.- 12, P.S.- MARHOWRAH, DIST.- SARAN AT CHAPRA.
2. SURAJ RAY S/O- SHEONATH RAY R/O- VILLAGE- MARHOWRAH PURANI BAZAR WARD NO.- 12, P.S.- MARHOWRAH, DIST.- SARAN AT CHAPRA.
3. CHOTU @ AYUSH KUMAR S/O- SHEONATH RAY R/O- VILLAGE- MARHOWRAH PURANI BAZAR WARD NO.- 12, P.S.- MARHOWRAH, DIST.- SARAN AT CHAPRA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rajani Kumari
For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-05-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no. 1 (Sheo Nath Ray)
3. Permission is accorded.
- 4. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to petitioner no. 1.**
5. The petitioner nos. 2 and 3 apprehend their arrest in



a case registered for the offences punishable under Sections 448, 341, 323, 324, 307, 379, 354, 504, 506 and 34 of the Indian Penal Code read with Sections 27 of the Arms Act.

6. It is next submitted that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant with an allegation that petitioner no. 2 assaulted the informant by *dab* causing injury on head and petitioner no. 3 assaulted by *farsa* causing injury on neck of the informant and petitioner no. 2 also snatched *Mangalsutra* worth Rs. 70,000-80,000/-.

7. The learned counsel for the petitioners submits that though there is allegation against Suraj and Chhotu @ Ayush Kumar of assaulting the informant by *dab* and *farsa*, but then the informant did not suffer any injury nor there is any injury report on record. It is also submitted that even the order impugned does not record about any injury suffered by the informant.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Marhowrah P.S. Case No. 518 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

10. However, the learned Trial Court before accepting the bail bonds of the petitioners shall verify the injury report of the informant and in the event if it is found that the informant suffered injury on head and neck in that event, the present anticipatory bail order shall not be given effect to, but if informant has not suffered any injury either simple or grievous, the bail bonds of the petitioners shall be accepted forthwith.

11. Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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