

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25926 of 2024

Arising Out of PS. Case No.-53 Year-2021 Thana- JHANJHARPUR District- Madhubani

1. Ajay Kumar Roy Son of Ramesh Ray Resident of vill.-Sukhet, P.S.-Jhanjharpur, Distt.-Madhubani
2. Rakesh Ram Son of Shri Prasad Ram Resident of vill.-Matras, P.S.-Madhepur, Distt.-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Jhanjharpur P.S. Case No. 53 of 2021 registered for the offences punishable under Sections 323, 341, 307, 326, 506 of the Indian Penal Code.

3. As per FIR, during *Saraswati Puja* an altercation took place between the informant and petitioners and the other accused person in which the informant sustained injury in his belly and the present case has been lodged.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have falsely been implicated in this case. There is allegation of assault against the petitioner is general and omnibus in nature. He further submits that the specific allegation of assault is against Om Kumar Roy from which the informant received injury in his stomach. Petitioner no. 2, belongs to other village and has come to see his maternal uncle, where the occurrence took place. Learned counsel for the petitioners further submits that in the compromise petition filed before the learned court below, it has been stated that no injury was caused to the informant/injured by the petitioners. Petitioners have no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on 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 concerned Court where the case is pending in connection with Jhanjharpur P.S. Case No. 53 of 2021 (G.R. No. 386 of



2021), subject to the conditions as laid down under Section 438
(2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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