

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34516 of 2024

Arising Out of PS. Case No.-207 Year-2023 Thana- MAHUA District- Vaishali

1. Amarjeet Kumar Son of Umesh Rai @ Umesh Ray Resident of Village - Mohanpur Dhanraj @ Khirachak, P.S.- Mahua, District - Vaishali.
2. Umesh Rai @ Umesh Ray Son of Chandradeep Rai @ Chandradeep Ray Resident of Village - Mohanpur Dhanraj @ Khirachak, P.S.- Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Ms. Sudha, Advocate
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 385, 379, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case in brief is that on 02.04.2023 at 10:30 AM, when the informant along with labourers were doing construction work of his house, in the meantime, all the F.I.R. named accused persons, including these petitioners, armed with rod, knife and sword, arrive that and thereafter, co-accused Vinod Rai demanded ransom of Rs. 5,00,000/- and on the order of Vinod Rai, all the accused persons assaulted the informant and his son.



4. It is submitted by learned counsel appearing on behalf of the petitioners that allegation of assault is general and omnibus. No specific accusation of overt act has been alleged against these petitioners. Petitioner No. 1 is only alleged to have taken away briefcase of the informant and there is no allegation against Petitioner No. 2. Moreover, injuries sustained by the injured have been opined to be simple in nature. It is further submitted that the case has already been compromised between the parties and to that effect, a compromise petition dated 25.05.2023 has also been filed in the learned court below. It is further submitted that co-accused Binod Rai has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 28.08.2023 passed in Cr. Misc. No. 55545 of 2023.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of injuries sustained by the injured, claim based on parity and the fact that the case has already been compromised between the parties, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within



a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Ist Class Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 207 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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