

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34821 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- MUFFASIL District- Aurangabad

1. Baijnath Kumar Pathak @ Baijnath Pathak Son of Govind Pathak Resident of Village- Poiwan , P.S- Muffasil , Dist- Aurangabad
2. Saurabh Pathak Son of Baijnath Kumar Pathak Resident of Village- Poiwan , P.S- Muffasil , Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Miss Nikita Mittal- Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 379, 307, 504 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the instant by the informant. It is further submitted that from the side of the petitioners, Muffasil P. S. Case No.16 of 2024 was instituted against the side of the informant and others and thus, instant case came to be instituted



by way of counter-blast alleging that petitioner no.2 assaulted the son of the informant by an iron rod causing injury on head. Thereafter, Karan snatched golden chain worth Rs.80,000/-. It is next alleged that on account of assault, the son of the informant was severely injured and he was treated at Sadar Hospital from where he was referred to Narayan Medical College, Jamuhar and his condition is critical.

4. The learned counsel for the petitioners submits that both sides assaulted each other and from perusal of the injury report of the son of the informant (Annexure-3), it would manifest that the doctor of Sadar Hospital, Aurangabad, with regard to the nature of injury suffered by the son of the informant, has opined that the injury was simple in nature. It is thus submitted that it appears that the informant in order to give a serious colour to the case instituted the instant F.I.R. with exaggerated allegation. It is also submitted that from side of the petitioners, the petitioner no.1 and his wife suffered injury on account of assault by the informant and his side.

5. Learned A.P.P. Sri Chandra Bhushan Prasad opposes the anticipatory bail application.

6. 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 Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Aurangabad (Muffasil) P. S. Case No.21 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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