

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41428 of 2024

Arising Out of PS. Case No.-865 Year-2022 Thana- SASARAM NAGAR District- Rohtas

1. Ravindara Kumar, S/O Sharma Chaudhary R/O Bauliya Road, Jagdev Nagar,P.S.-Sasaram(Town), District-Rohtas
2. Birendra Kumar, S/O Sharma Chaudhary R/O Bauliya Road, Jagdev Nagar,P.S.-Sasaram(Town), District-Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ashutosh Tripathy
For the Opposite Party/s :	Mr. Nand Kishore Prasad
	Mr. Vishwanath Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2024 1. Heard learned counsel for the petitioners, the learned counsel appearing on behalf of the informant 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, 307, 379, 448, 504, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners have antecedent of one case and have been falsely implicated in the instant case by the informant with an allegation that on 11.10.2022 while informant was going to his shop when he was intercepted by Sharma Chaudhary at his door,



who started abusing him and on protest by the informant, Sharma Chaudhary called other accused persons along with the petitioners and thereafter, petitioner no.1 is alleged to have assaulted the informant on head by an iron rod causing injury and thereafter, petitioner no.2 also assaulted the brother of the informant by an iron rod on head causing injury. Thereafter, accused persons took Rs.50,000/- cash and also snatched jewellery from one Baby Devi.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case. It is also submitted that the dispute was in between the informant and Sharma Chaudhary. It is next submitted that there is specific allegation of assault against the petitioners, but then, the injury suffered by the injured is simple in nature and the blow was not repeated, which amply demonstrates that petitioners had never had any intention of committing the serious occurrence.

5. The learned counsel for the informant as well as learned A.P.P. opposes the anticipatory bail application, but are not in a position to rebut the submission of the learned counsel for the petitioners that the injuries suffered by the injured is simple in nature.

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., Rohtas at Sasaram in connection with Sasaram (Town) P. S. Case No.865 of 2022, 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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