

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45015 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- VAISHALI District- Vaishali

-
1. SURENDRA RAI SON OF LATE JANKI RAI Resident of Village - Vaishali Tola Shishwani, P.S. - Vaishali, District - Vaishali
 2. GAJENDRA RAI SON OF PANCHU RAI Resident of Village - Vaishali Tola Shishwani, P.S. - Vaishali, District - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Vasant Vikas, Advocate
For the State : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 504, 506, 379, 447 and 34 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of occurrence, when informant went to his bathan, these petitioners, along with other F.I.R. named accused persons, abused and assaulted informant with danda and iron rod, due to which he sustained injuries. Petitioner No. 1 is also alleged to have dashed informant on ground, jumped on his chest and took away cash worth Rs. 3,000/- from his pocket.



4. It is submitted by learned counsel appearing on behalf of the petitioners that as a matter of fact, informant and others brutally assaulted the wife of Petitioner No. 1, for which a complaint case has been lodged and only with a view to save their skin, this false and concocted case has been lodged. Moreover, allegation of assault is general and omnibus and there is no injury report on record to substantiate the allegation of assault. Petitioners claim clean antecedents.

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

6. Considering the aforesaid facts and circumstances, nature of accusation, case and counter-case between the parties and clean antecedents of the petitioners, 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Vaishali P.S.



Case No. 51 of 2024, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

