

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45775 of 2024

Arising Out of PS. Case No.-211 Year-2023 Thana- JANTA BAZAR District- Saran

1. Kanhaiya Rai S/O Late Manbharan Rai R/O Dandaspur, P.S- Jantabajar, Distt.- Saran, Bihar.
2. Nagendra Kumar @ Nagendra Ray S/O Krishna Ray R/O Dandaspur, P.S- Jantabajar, Distt.- Saran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan, Adv.
Mr. Gaurav Kumar, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-08-2024 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The petitioners apprehend their arrest in connection with Jantabajar P.S. Case No. 211 of 2023 registered under Sections 341, 323, 324, 307, 447, 504 and 34 of the Indian Penal Code.

3. As per prosecution case, these petitioners assaulted informant by means of knife and bricks, as a result of which, he sustained multiple injuries.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Further submission is that petitioner no. 1 has earlier lodged an F.I.R. bearing Janta Bazar P.S. Case No. 66 of 2022 against informant and others, in



retaliation, this false and fabricated case has been lodged against the petitioners.

5. Learned A.P.P. for the State vehemently opposed the prayer for bail of petitioner no. 1 by contending that the injury allegedly caused by this petitioner is grievous in nature. Hence, he does not deserve the privilege of anticipatory bail.

6. Considering the nature of injury allegedly caused by petitioner no. 1, namely, Kanhaiya Rai, his prayer for bail is, accordingly, rejected.

7. So far as petitioner no. 2, is concerned, the injury allegedly caused by this petitioner is simple in nature, let petitioner no. 2, namely, Nagendra Kumar @ Nagendra Ray, be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate-I, Saran at Chapra in connection with Jantabajar P.S. Case No. 211 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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