

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48432 of 2024

Arising Out of PS. Case No.-187 Year-2023 Thana- GAIGHAT District- Muzaffarpur

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1. Mithilesh Rai son of Radhey Rai @ Radhakrishna Rai Village Ps-Gaighat Dist- Muzaffarpur
 2. Awadhesh Rai son of Radhey Rai @ Radhakrishna Rai Village Ps-Gaighat Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prasoona Kumar, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-09-2024 Heard learned Counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Gaighat P. S. Case No.187 of 2023 under Sections 341, 323, 448, 427, 307, 337, 338, 379, 504/34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 5 named accused persons including the petitioners and allegation against petitioner No.1 is that he had assaulted by bricks to the informant and petitioner No.2 had assaulted on the back of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners and informant both are agnates, residing in the same village and well-known to each other. He



further submits that for the same date and place of occurrence, there is case and counter-case. The present case has been filed by the informant and the petitioners have also filed a case which is Annexure-P/2 of the bail petition.

5. Learned Counsel further submits that injury has been caused from both sides.

6. Learned Counsel also submits that petitioners' antecedent are clean.

7. Learned APP for the State opposes the prayer for bail and submits that for the same date and place of occurrence, there is a case and counter case.

8. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 6 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class (Court No.02), Muzaffarpur East in connection with Gaighat P. S. Case No.187 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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