

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47521 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- ISUAPUR District- Saran

1. Jitendra Rai
2. Shailesh Rai @ shailendra Rai @ Shailendra Ria
3. Dhanu Rai @ Dhanu Kumar Rai @ Dhannu Rai
All Son of Nagina Ray
4. Savita Devi, W/o Jitendra Rai
5. Ashok Rai @ Ashok Kumar Yadav Son of Shiv Nath Rai
All are Resident of Vill- Kerwan, P.S.- Isuapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-08-2024 Heard learned counsel for the petitioners as well as
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 147, 341, 323, 324, 325, 307, 354(B), 379 and 504 of the IPC in connection with Isuapur P.S. Case No.138 of 2023.

3. The learned counsel for the petitioners submit that petitioners are persons with clean antecedent and the informant alleges that on 18.05.2023 while he was going to the market to buy some goods when he was intercepted by the accused persons including the petitioners and Jitendra assaulted him by a 'Dab' from behind causing injury on his forehead, thereafter,



Shailendra assaulted him by '*Garasa*' causing injury on back, Dhannu assaulted the mother of the informant by rod, causing fracture of a hand, thereafter, Shailendra assaulted the wife of the informant by '*Garasa*' causing injury on head and Jitendra snatched her golden Mangal Sutra and Shailendra disrobed her.

4. The learned counsel submits that petitioners have been falsely implicated in the instant case. It is further submitted that there is no injury report on record or else the order impugned would have recorded with respect to the injuries suffered by the injured, as reference of case diary is recorded in the order impugned.

5. The learned APP 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 anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thosuang) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Saran at Chapra in connection with Isuapur P.S. Case No.138 of 2023, subject to the conditions laid



down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the injury report of the informant, mother of the informant and wife of the informant and in the event if it is found that the injured suffered grievous injury, in that event, the present anticipatory bail order shall not be given effect to with respect to the accused who are alleged to have assaulted the injured, causing grievous injury.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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