

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56563 of 2024

Arising Out of PS. Case No.-225 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

1. Rohit Kumar @ Rohit Sharma Son Of Late Sita Thakur Village- Manihari, Ps- Bhabua, Dist- Dist- Kaimur (Bhabua)
2. Mahendra Hazam @ Mahendra Thakur Son Of Late Dalsingar Hazam @ Dalsingar Thakur Village- Manihari, Ps- Bhabua, Dist- Dist- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP
For the Informant	:	Mr. Avanindra Kumar Jha, Advocate
		Mr. Ram Naresh Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State as well as learned counsel for the informant.

02. In the present case, the petitioners are apprehending their arrest in connection with Bhabua P.S. Case No. 225 of 2024, registered on 27.03.2024, for the alleged offence under Sections 341, 323, 308, 506/34 of the Indian Penal Code.

03. As per prosecution case, due to old enmity, petitioners assaulted the informant with *lathi* and *danda*, causing injuries on his head and eye.

04. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. The present case is the counterblast of the case lodged by the wife of the petitioner no. 1 vide Kaimur (Bhabua) P.S. Case No. 32 of 2024 as prior to the alleged occurrence, the informant entered into the house of the petitioners and outraged the modesty of the wife of the petitioner no. 1 and repeated this act again after a few month. Learned counsel further submits that injuries are quite simple and superficial as two lacerated wound have been found, one on below left eye of size 1"x ½" x muscle deep and another on left eye brow of size ½" x ¼" x muscle deep. Learned counsel further submits that the petitioner is having clean antecedent.

05. Learned A.P.P. for the State as well as learned counsel for the informant oppose the prayer for anticipatory bail. Learned counsel for the informant submits that the petitioners caused injuries on the informant and the injury report supports the allegation.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the earlier case of the petitioner and further considering the simple and superficial nature of injuries, let the petitioners above named, in the event of their arrest or surrender before the court



concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabua (Kaimur) in connection with Bhabua P.S. Case No. 225 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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