

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65204 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- WARISNAGAR District- Samastipur

1. Deepak Rai @ Deepak Ray Son of Ram Shankar Ray Village- Purnahi, Police Station- Warisnagar, District- Samastipur
2. Uma Shankar Rai @ Uma Shankar Ray Son of Late Krishndev Ray Village- Purnahi, Police Station- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-10-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Warisnagar Police Station Case No. 334 of 2023, disclosing offences under Sections 143, 341, 342, 323, 324, 307, 354, 379, 504, 506 of the Indian Penal Code.

3. As per the First Information Report, on 18.09.2023, in the morning, when the informant heard the cries of his daughter, he ran inside the house with his wife and saw that accused persons were assaulting his daughter and when protested, all of them assaulted the informant and other family members. It has further been alleged that petitioner no. 1 and 2



assaulted the wife of the informant by means of rod on her chest and arm.

4. Learned Counsel for the petitioners submits that both the parties are agnates and there is land dispute between them. The injury caused to the victim is grievous in nature but there is no specific allegation against the petitioners. It is not clear that assault made by whom has caused grievous injury to the informant's wife.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner no. 1 is twenty three years old having one criminal antecedent only, I am inclined to grant the petitioner no. 1 privilege of anticipatory bail. Insofar as petitioner no. 2 is concerned, he is having six criminal antecedents and there is allegation of assault against him causing grievous injury to the victim, as such, I am not inclined to grant the petitioner no. 2 privilege of anticipatory bail and the same stands rejected.

6. This application is, accordingly, allowed to the extent indicated above.

7. Let petitioner no. 1, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Warisnagar Police Station Case No. 334 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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