

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66714 of 2023

Arising Out of PS. Case No.-257 Year-2023 Thana- CHIRAIYA District- East Champaran

1. SANJAY SAH SON OF LATE RAM BAHADUR SAH VILL BARA JAIRAM PS CHIRAIYA DIST EAST CHAMPARAN
2. TUNTUN SAH SON OF RAM BAHADUR SAH VILL BARA JAIRAM PS CHIRAIYA DIST EAST CHAMPARAN
3. JAGAT LAL SAH SON OF YADU LAL SAH VILL BARA JAIRAM PS CHIRAIYA DIST EAST CHAMPARAN
4. NEMILAL SAH SON OF JAGAT LAL SAH VILL BARA JAIRAM PS CHIRAIYA DIST EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Karandeep Kumar, Advocate
For the Opposite Party/s	:	Mr. Jai Narain Thakur, A.P.P.
For the Informant	:	Mr. Patanjali Rishi, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 427, 379, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, when informant was returning from the temple, all the accused persons including these petitioners armed with lathi, danda, iron rod and farsa surrounded him and abused and assaulted him due to which he sustained injury. It is further alleged that petitioner No. 3 assaulted the father of the informant due to which he sustained



injury, petitioner No. 2 snatched golden chain from the neck of the informant as well as cash of Rs. 25,000/-.

4. Learned counsel appearing for the petitioners submits that specific accusation of assault is against petitioner No. 3 who assaulted the father of the informant on account of which he sustained grievous injury. Rest of the petitioners caused simple injury. Allegation of snatching cash and jewellery is ornamental.

5. Learned counsel for the informant vehemently opposes the bail application and submits that these petitioners assaulted the informant and his family members.

6. In view of the fact that petitioner No. 3 caused grievous injury, **prayer for anticipatory bail of petitioner No. 3 is refused.** However, considering the simple nature of injury and nature of accusation against rest of the petitioners, the **anticipatory bail with regard to petitioner Nos. 1, 2 and 4 is allowed** and it is ordered that the above named petitioner Nos. 1, 2 and 4 in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Sikarhana at Dhaka,



Each Champaran in connection with Chiraiya P. S. Case No.
257 of 2023, subject to condition as laid down under Section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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