

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68363 of 2023

Arising Out of PS. Case No.-458 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

1. Anil Kumar Ram, S/o Suresh Ram, R/o Village- Bisunpur Baladhari, P.S. - Hajipur Sadar, Dist. - Vaishali.
2. Sunil Kumar Ram, s/o Suresh Ram, R/o Village- Bisunpur Baladhari, P.S. - Hajipur Sadar, Dist. - Vaishali.
3. Mahapatiya Devi, W/o Suresh Ram, R/o Village- Bisunpur Baladhari, P.S. - Hajipur Sadar, Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioners and learned
APP for the State,

2. In this present case, the petitioners are apprehending their arrest in connection with Hajipur Sadar P.S. Case No. 458 of 2023, registered on 15.06.2023 for the offences under Sections 341, 323, 307, 447, 324/34 of the Indian Penal Code.

3. As per prosecution case, petitioners assaulted the informant and tried to snatch his mobile phone and cash. When the informant opposed their act, petitioner nos. 1 and 2 stabbed him with knife on back, arms and abdomen etc.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. Informant and petitioners are residents of same village and there was land dispute between them. For this reason petitioners have been falsely implicated in this case. Informant did not receive any injury and there is no injury report on record. Learned counsel further submits that injury report shows only lacerated wound of superficial nature and abrasions. From the facts of the case, no offence under Section 307 IPC is made out against the petitioners. The petitioners have got no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of injuries stated to be caused by knife by petitioner nos.1 and 2 and also considering the possibility of false implication, 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 bonds 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, Vaishali at Hajipur/concerned



court in connection with Hajipur Sadar P.S. Case No. 458 of 2023, subject to the conditions as 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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