

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80793 of 2023

Arising Out of PS. Case No.-327 Year-2020 Thana- SALIMPUR District- Patna

1. SANJAY RAY @ SANJAY KUMAR Son of Shakal Deo Ray Resident of village - Saidpur, P.S. - Salimpur, District - Patna.
2. Bablu Kumar Son of Sanjay Ray @ Sanjay Kumar Resident of village - Saidpur, P.S. - Salimpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Ashok Kumar Kashyap, Advocate
For the State : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-03-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 504, 506, 379, 307, 34 and 448 of the Indian Penal Code.

3. As per F.I.R., Petitioner No. 1 is alleged to have assaulted the sister of the informant by means of *lathi* as a result of which she sustained three injuries on the head. Petitioner No. 2 is also alleged to have assaulted the informant and his family members.

4. It is submitted by learned counsel for the petitioners that specific accusation of assault is against Petitioner No. 1. So far as Petitioner No. 2 is concerned, there is general and



omnibus allegation. No specific overt act has been alleged against this petitioner. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail and submitted that there is specific accusation of assault against Petitioner No. 1.

6. Considering the nature of injury and aforesaid facts and circumstances, the prayer for anticipatory bail of the Petitioner No. 1 is rejected. So far as Petitioner No. 2 is concerned, no specific allegation of overt act is alleged against him and hence prayer for grant of anticipatory bail of Petitioner No. 2 is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let Petitioner No. 2, above named, 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 learned J.M. 1st Class, Barh, Patna, in connection with Salimpur P.S. Case No.327 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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