

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84974 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- RAGHUNATHPUR District- Siwan

1. Akhilesh Ram Son of Late Ramsagar Ram Resident of Village- Rajpur, P.S. Raghunathpur, Distt.- Siwan.
2. Amit Ram @ Amit Bachchan Ram Son of Late Ramsagar Ram Resident Of Village- Rajpur, P.S. Raghunathpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 09-04-2024 Heard Ms. Kumari Anupam, learned counsel appearing on behalf of the petitioners and Mr. Shailendra Kumar, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Raghunathpur P.S. Case No. 83 of 2023 registered under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused persons named therein with a common intention to kill, attacked the informant on his head. Specific allegation of causing injury on the head is against petitioner no.2 Amit Ram and petitioner no.1 had assaulted with *farsa* on the hand of the informant



causing injury.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. Learned counsel further submits that no injury has been found on the head of the informant by the doctor. So far as petitioner no.1 is concerned, he had assaulted on the hand of the informant and the injury sustained is simple in nature. The petitioners have clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that no injury has been found on the head of the informant by the doctor and the injury sustained by the informant on his hand is simple in nature, the District Court is directed to verify from the injury report with respect to the injury sustained on the head of the informant and if the injury is simple in the opinion of the doctor, then in that case, the petitioners, above named, are directed to be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, 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. Ist Class, Siwan in connection with Raghunathpur P.S. Case No. 83 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J.)

Mantreshwar/-
Ashishsingh/-

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