

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84625 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- BHANGWANPUR HAT District- Siwan

1. CHHATHU RAM Son of Jiut Ram R/o vill - Marachhi, P.S. - Bhagwanpur Hat, Dist. - Siwan
2. Mantu Ram Son of Jiut Ram R/o vill - Marachhi, P.S. - Bhagwanpur Hat, Dist. - Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Anupam

For the Opposite Party/s : Mrs. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 325, 307, 379, 447, 504, 506/34 of the Indian Penal Code.

3. The allegation against the petitioners is that they assaulted the informant's side by means of several weapons due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that both the parties are co-villagers and there is no specific overt act against the petitioners. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no.2 to assault the injured person namely, Vijay Sah and due to the said assault he sustained grievous injury.

6. Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.2 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, as the injury attributed towards the petitioner no.1 simple is in nature, let the above named petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bhagwanpur Hat



P.S. Case No.43 of 2023, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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