

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85591 of 2024

Arising Out of PS. Case No.-315 Year-2024 Thana- GARKHA District- Saran

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1. Rajendra Rai @ Rajender Ray S/o Laxan Rai Resident of Village- Jikabad, Mathiybad, P.S.- Garkha, District- Sharan, Bihar
 2. Amit Kumar Son of Rajendra Rai @ Rajender Ray Resident of Village- Jikabad, Mathiybad, P.S.- Garkha, District- Sharan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girijish Kumar

For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Garkha Thana P.S. Case no. 315 of 2024 instituted for the offence under Sections 341, 323, 324, 325, 307, 379, 504 and 34 of the Indian Penal Code.

3. The case of the prosecution is that petitioners along with others assaulted the informant by means of *sword, farsa, lathi*. As the son of informant Mritunjay Kumar came to rescue, Rakesh Kumar Yadav and Vikas Rai assaulted with *Talwar* on the head of Mrityunjay Kumar. It is further alleged that Amit



Kumar assaulted with an *iron rod* to Mrityunjay Kumar Rai.
Vikas Rai was assaulted by Raghuvar Rai by mean of *dab*.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is next submitted that there is also a counter version of this case and it has also been submitted that the petitioners have received grievous injury in that case. From perusal of the order of the trial court, it is clear that the victims of this case has received simple injury by hard and blunt substance.

5. In contra, learned APP appearing for the State opposes the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Garkha Thana P.S. Case No. 315 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Saran at Chapra subject to the conditions



as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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