

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45909 of 2025

Arising Out of PS. Case No.-339 Year-2024 Thana- MAHUA District- Vaishali

-
1. Anju Devi W/o- Pramod Sah Shahi R/o - Jarua, P.S - Town, District - Vaishali at Hajiur
 2. Pramod Sah @ Shahi S/o- Baidhnath Sah @ Baidhnath Shahi R/o - Jarua, P.S - Town, District - Vaishali at Hajiur
 3. Dharmendra Kumar @ Dharmendra Shahi S/o- Baidhnath Sah @ Baidhnath Shahi R/o - Jarua, P.S - Town, District - Vaishali at Hajiur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmod Ban Bihari Singh
For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-07-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Mahua Police Station Case No. 539 of 2024, dated 02.07.2024, disclosing offences punishable under Sections 341/323/307/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 25.06.2024, at about 05: 30 PM, while the informant was standing near the tea shop, the petitioner no. 1, armed with hammer, the petitioner no. 2 armed with slotted spoon (chanuata) and the petitioner no. 3



came there and the petitioner nos. 1 and 2 assaulted him by hammer and slotted spoon, due to which the informant sustained head injury.

4. Learned Counsel for the petitioner submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that the tea shop where the informant was standing, belongs to the petitioners and they have not assaulted the informant. He further submits that the informant did not receive any injury and this fact finds support from perusal of the impugned order, wherein it has been mentioned that there was no injury report in the case diary.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the prosecution has failed to bring on record the injury report of the informant before the learned District Court even after nine months of the alleged occurrence, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period



of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 4th Additional Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Mahua Police Station Case No. 539 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

