

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60040 of 2018

Arising Out of PS. Case No.-683 Year-2018 Thana- SITAMARHI District- Sitamarhi

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1. Sanjay Kumar Singh @ Sanjay Singh, S/o Late Surendra Singh,
 2. Rupesh Kumar S/o Sanjay Kumar Singh @ Sanjay Singh,
 3. Palavi Devi @ Palavi Kumari @ Palavi Priyadarsani W/o Sanjay Kumar Singh @ Sanjay Singh, All are R/o Mohalla- Baswariya (Kamla Garden) Ward No. 10, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 384, 307, 448, 380, 504, 506 and 34 of the Indian Penal Code.

The prosecution case, in short, is that on account of refusal to pay the rangdari, the accused persons assaulted him and his family members due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the



present case. The petitioner no. 3 is a lady. There is a case and counter case between the parties. The accuseds' side have also sustained injury in course of occurrence. The injury on the accuseds side has not been explained by the prosecution. The prosecution has not come with clean hands. From perusal of the order of the Sessions Judge, it appears that the nature of injury is simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 683/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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