

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63478 of 2018

Arising Out of PS. Case No.-79 Year-2018 Thana- AANDAR District- Siwan

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1. Sunit Kumar Rai @ Sunit Rai, null null
 2. Punit Kumar Rai @ Punit Rai, Both are sons of Sri Umashankar Ray, Resident of Village- Bharauli, P.S.- Andar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 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, 307, 354(A)(B), 504, 506 and 34 of the Indian Penal Code.

The prosecution case, in short, is that when the informant was alone inside the house, the accused persons with ill motive entered into the house and misbehaved with her. Later on complain, they again came and assaulted the brother of the informant due to which he sustained injury.

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 petitioner has falsely been implicated in the present case. There is a case and counter case between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. Rest of the offences are triable by the Magistrate.

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, Siwan in connection with Andar P.S. Case No. 79/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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