

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54704 of 2019

Arising Out of PS. Case No.-99 Year-2019 Thana- ISUAPUR District- Saran

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1. Abhay Kumar Son of Birendra Rai Resident of Village - Pyarepur, P.S.-
Isuapur, District- Saran at Chapra
 2. Birendra Rai Son of Late Ramdhari Rai Resident of Village - Pyarepur, P.S.-
Isuapur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kislay Raj, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered under
Sections 323, 325, 326, 341, 379, 447/34 of the Indian Penal
Code.

Allegation is that the accused persons including the
petitioners assaulted the informant and his brother by means of
dab and lathi, due to which they sustained injuries.

It has been submitted on behalf of the petitioners that
the petitioners are in custody since 31.05.2019 and have got no
criminal antecedent. Charge sheet has been submitted in this
case. There is no allegation of tampering of witnesses alleged



against the petitioners. As per F.I.R., the time of occurrence is said to be on 31.05.2019 at 4.20 p.m. The injury report shows that one victim was examined on 31.05.2019 at 7.02 a.m. and another victim was examined on 31.05.2019 at 6.55 a.m. As per the injury reports of the respective victims, the time of occurrence as stated in the F.I.R. itself is falsified and it creates doubt on the entire prosecution.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge, Saran at Chapra in connection with Isuapur P.S. case No.99 of 2019.

(Sudhir Singh, J)

Narendra/-

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