

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33508 of 2020

Arising Out of PS. Case No.-326 Year-2019 Thana- SONEPUR District- Saran

-
1. KUSUM DEVI Wife of Lakbabu Ram Resident of Village-Ismailchak, P.S-Sonepur, District-Saran at Chapra.
 2. Sanjay Ram Son of Premi Ram Resident of Village-Ismailchak, P.S-Sonepur, District-Saran at Chapra.
 3. Rahul Kumar Son of Lalbabu Ram Resident of Village-Ismailchak, P.S-Sonepur, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Kumar Singh

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-12-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition with regard to Sanjay Ram petitioner no. 2, as not being pressed.

Prayer is allowed. The anticipatory bail petition with regard to petitioner no. 2, is dismissed as withdrawn.

Heard learned counsel for the petitioners and learned A.P.P for the State.

The petitioners apprehend their arrest in Sonepur P.S.



Case No. 326 of 2019, registered for the offence punishable under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code and section 27 of the Arms Act.

It is submitted that petitioners have falsely been implicated in this case. There is general and omnibus allegation. Petitioner no. 1 is order giver. There is no specific overt act against petitioner no. 3, he is simply a member of unlawful assembly. There is case and counter case. Co-accused Lal Babu Ram lodged a case bearing Sonapur P.S. Case No. 325 of 2019 against the informant and others and only to save his skin from that case this false case has been lodged against the petitioners. No case under Section 307 IPC is made out. Petitioner have got clean antecedent, as stated in para 3 of the petition.

Considering the facts aforesaid, Kusum Devi petitioner no. 1 and Rahul Kumar petitioner no. 3, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Ist, Saran at Chapra in connection with Sonapur P.S. Case No. 326 of 2019, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

