

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17702 of 2020

Arising Out of PS. Case No.-117 Year-2019 Thana- BAUSI District- Araria

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1. Madhukar Singh @ Madhukar Kumar Singh Son of Nand Kishore Singh Resident of Village - Tamghatti, P.S.- Bounsi, Dist.- Araria.
 2. Fudan Singh @ Pradeep Singh Son of Sadhu Singh Resident of Village - Tamghatti, P.S.- Bounsi, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 23-09-2020 Heard learned counsel for the petitioners and learned APP for the State through video conferencing.

At the outset it is submitted by learned counsel for the petitioners that a typographical error has occurred in paragraph 1 of the petition wherein Bounsi P.S. Case No.117 of 2018 has been typed in place of the correct Bounsi P.S. Case No.117 of 2019.

Let the case number mentioned in paragraph 1 be read as 'Bounsi P.S. Case No.117 of 2019'.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bounsi P.S. Case No.117 of 2019, registered



under section 307 and other sections of the Indian Penal Code.

As per allegation in the F.I.R. it is stated that the accused persons took away the brother of the informant and assaulted him. He was rescued by the administration and taken for treatment to the Government hospital.

It is submitted by learned counsel for the petitioners that the allegations as made in the F.I.R. are false and concocted. It is submitted that the brother of the informant had been beaten up by the public for having misbehaved with the daughter of the petitioner no.1, in absence of the petitioner no.1 and his wife, and for which the F.I.R. as contained in Annexure-2 was lodged by the 12 years old daughter of the petitioner no.1. It is further submitted that the said fact has also transpired in course of investigation in the instant case which would be evident from the contents of the case diary. The petitioners have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioners, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below



within a period of eight weeks from today and in the event of their arrest or surrender in connection with Bounsi P.S. Case No.117 of 2019, they will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Araria, subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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