

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20730 of 2020

Arising Out of PS. Case No.-813 Year-2019 Thana- DEHRI TOWN District- Rohtas

1. Manoj Kumar, S/o Yugal Kishore Prasad Resident of Mohalla- Ward No. -37, Balgovind Bigha, Near Town Hall, P.S.- Dehri, District- Rohtas.
2. Sanjay Kumar @ Sanjay Kumar Prasad, S/o Yugal Kishore Prasad Resident of Mohalla- Ward No. -37, Balgovind Bigha, Near Town Hall, P.S.- Dehri, District- Rohtas.
3. Ajay Kumar, S/o Yugal Kishore Prasad Resident of Mohalla- Ward No. -37, Balgovind Bigha, Near Town Hall, P.S.- Dehri, District- Rohtas.
4. Ashutosh Kumar, S/o Yugal Kishore Prasad Resident of Mohalla- Ward No. -37, Balgovind Bigha, Near Town Hall, P.S.- Dehri, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharmendra Kumar Sinha- Advocate
For the State	:	Mr. Ram Priya Sharan Singh- A.P.P.
For the Informant	:	Mr. Sunil Kumar Verma- Advocate
		Mr. Suman Kumar Verma- Advocate

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

4 22-09-2020 Supplementary affidavit for removal of the defects

has been filed on behalf of the petitioners. It has been averred in supplementary affidavit that due to typing error, in prayer portion, in place of “Dehri (Town) P. S. Case No.813 of 2019”, it has inadvertently been typed as “Dehri (Town) P. S. Case No.948 of 2019” and, therefore, in prayer portion, in place of “Dehri (Town) P. S. Case No.948 of 2019”, it be read as “Dehri (Town) P. S. Case No.813 of 2019”. Furthermore, by filing supplementary affidavit, petitioners have made their prayer for



correction of their father's name.

In view of the averments made in supplementary affidavit, the defects, as pointed out by the office, are deemed to be corrected.

Heard learned counsel appearing for the petitioners, learned Public Prosecutor Incharge appearing for the State as well as learned counsel appearing for the informant through video conferencing.

Petitioners are in jail custody since 20.11.2019 in connection with Dehri (Town) P. S. Case No.813 of 2019 registered under Sections 302, 387, 120(B)/ 34 of the I.P.C. and Section 27 of the Arms Act.

The written report of informant goes to show that deceased disclosed the name of assailant before her as well as before her daughter. The above stated statement of deceased does not contain the name of petitioners, who are brothers of alleged assailant Ranjay Kumar.

Learned counsel appearing for the petitioners submits that petitioners have been roped in this case, because they are brothers of F.I.R. named accused, Ranjay Kumar and, moreover, the perusal of impugned order goes to show that there is only allegation of conspiracy against the petitioners.



Learned counsel appearing for the informant submits that prior to alleged occurrence, the informant had lodged two cases against co-accused Ranjay Kumar, as the aforesaid co-accused Ranjay Kumar used to tease his daughter. Learned counsel for the informant further submits that after institution of the present case, the petitioners and their well-wishers are giving threatening for withdrawal of the present case and for which, informant has given a Sanha, on the basis of which an F.I.R. has been registered.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties and also taking note of this fact that petitioners do not have any criminal antecedent, let the petitioners, above named, be released on 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 Sub-divisional Judicial Magistrate, Dehri (Rohtas) in connection with Dehri (Town) P. S. Case No.813 of 2019.

(Hemant Kumar Srivastava, J)

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