

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23184 of 2020

Arising Out of PS. Case No.-873 Year-2019 Thana- BANKA District- Banka

1. DINDAYAL KUMAR RAI @ DIN DAYAL RAI S/o Harish Rai Resident of Supaha, P.S.-Barahat, District-Banka.
2. Kapil Rai S/o Harish Rai Resident of Supaha, P.S.-Barahat, District-Banka.
3. Pinki Devi W/o Shyam Sunder Rai Resident of Supaha, P.S.-Barahat, District-Banka.
4. Mala Devi @ Kulu Devi W/o Harish Rai Resident of Supaha, P.S.-Barahat, District-Banka.
5. Shyam Sunder Rai S/o Late Rameshwar Rai Resident of Supaha, P.S.-Barahat, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nirbhay Kumar Singh
For the Opposite Party/s : Mr.Uma Shankar Pd. Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

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, 447, 504, 506/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners assaulted the informant by lathi and danda. Accused Harish Rai attacked by sword causing injury on his palm and again intention to kill assaulted on his head causing fracture of his head.

It has been submitted on behalf of the petitioner that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is a case and counter case between the parties. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands. The petitioners No.3 and 4 are ladies.

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, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka (Barahat) P.S. case No.873 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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