

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26577 of 2020

Arising Out of PS. Case No.-201 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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1. PANKAJ KUMAR Son of Vir Mahto Resident of Village - Karpuri Nagar, Ward No.- 15, P.S.- Nagar (Sikandarpur O.P.), District - Muzaffarpur.
 2. Shankar Mahto Son of Late Batahu Mahto Resident of Village - Karpuri Nagar, Ward No.- 15, P.S.- Nagar (Sikandarpur O.P.), District - Muzaffarpur.
 3. Suresh Mahto Son of Shankar Mahto Resident of Village - Karpuri Nagar, Ward No.- 15, P.S.- Nagar (Sikandarpur O.P.), District - Muzaffarpur.
 4. Kari Mahto Son of Shankar Mahto Resident of Village - Karpuri Nagar, Ward No.- 15, P.S.- Nagar (Sikandarpur O.P.), District - Muzaffarpur.
 5. Bikram Mahto @ Bikram Kumar Son of Vir Mahto Resident of Village - Karpuri Nagar, Ward No.- 15, P.S.- Nagar (Sikandarpur O.P.), District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Punam Shrivastava
For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2020 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, 504, 506 and 34 of the Indian Penal Code.

The prosecution case, in short, is that the son of the informant was assaulted by the accused persons due to which he sustained injury.

It has been submitted on behalf of the petitioners 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. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. From the order of the Sessions Court, it appears that paragraph 38 of the case diary shows that injury report was not received by the I.O. as the informant is not supplying any receipt or injury report nor the same is made available from the Sadar Hospital. It appears that the informant is not cooperating in investigation.

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

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 twelve weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Muzaffarpur in connection with Nagar (Sikandarpur O.P.) P.S. Case No. 201/2020, G.R. No. 1216/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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