IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30296 of 2020

Arising Out of PS. Case No.-174 Year-2019 Thana- BELSAND District- Sitamarhi

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1. HARI SHANKAR RAI S/o Late Yogendra Rai R/o Village- Pachnaur Murahi, P.S.- Belsand, District- Sitamarhi.
2. Gauri Shankar Rai S/o Late Yogendra Rai R/o Village- Pachnaur Murahi, P.S.- Belsand, District- Sitamarhi.
3. Suraj Kumar S/o Hari Shankar Rai R/o Village- Pachnaur Murahi, P.S.- Belsand, District- Sitamarhi.
4. Nirale Kumar @ Nirala Kumar S/o Hari Shankar Rai R/o Village- Pachnaur Murahi, P.S.- Belsand, District- Sitamarhi.
5. Rahul Kumar S/o Gauri Shankar Rai R/o Village- Pachnaur Murahi, P.S.- Belsand, District- Sitamarhi.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Pancha Nand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 17-12-2020 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.

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The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons including the petitioners assaulted the informant and his family members by means of spade, knife, lathi and danda, due to which they sustained injuries.

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 this 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.

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 twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the

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like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Belsand P.S. case No.174 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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