

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81182 of 2019

Arising Out of PS. Case No.-616 Year-2019 Thana- SUPAUL District- Supaul

1. Niduchandra Samduar @ Nidhu Chand Samduar, S/o Late Ramnikant Samduar, Resident of Nagar Parishad Ward No. 21, Supaul, P.S. and District- Supaul.
2. Sunita Devi, W/o Niduchandra Samduar @ Nidhu Chand Samduar, Resident of Nagar Parishad Ward No. 21, Supaul, P.S. and District- Supaul.
3. Kajal Samduar, W/o Yadu Chandra Samduar, Resident of Nagar Parishad Ward No. 21, Supaul, P.S. and District- Supaul.
4. Guru Charan Samdaur @ Guru Chand Samdaur, S/o Shyam Chandra Samduar, Resident of Nagar Parishad Ward No. 21, Supaul, P.S. and District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in a case registered for the offence(s) under sections 341, 323, 324, 325, 307, 447, 448, 379, 354, 504, 506 and 34 of the Indian Penal Code.

As per the allegation in the F.I.R., the accused persons including the four petitioners herein are said to have assaulted the informant and members of her family. It is stated that Yadu Chandra Samaddar struck with the iron rod on the head of Vinay



Gopal as a result of which he sustained injuries on his head and fell down. The other persons are stated to have assaulted the informant and others indiscriminately and to have looted various articles worth Rs. 10,000/-.

It is submitted by learned counsel for the petitioners that from the F.I.R. itself, it would be evident that for an occurrence which took place on 07.09.2019 at 10 AM at a distance of only 2 kilometers from the police station, for no explanation whatsoever, the F.I.R. was registered after more than 27 hours on 08.09.2019 at 7:20 PM. It is further submitted that specific allegation of overt act is on Yadu Chandra Samaddar and the allegation against others are general and omnibus in nature. It is finally submitted that the petitioners have no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The petitioners above named, in the event of their arrest or surrender in the Court below within a period of six weeks from today in connection with Supaul P.S. Case no. 616 of 2019 are directed



to 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 C.J.M., Supaul, subject to
the conditions as laid down in section 438 (2) of the Criminal
Procedure Code.

(Partha Sarthy, J)

Ankit/-

U		T	
---	--	---	--

