

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80657 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- JURAWANPUR District- Vaishali

1. DIYA SINGH @ DIPAK KUMAR SINGH Son of Late Ram Gopal Singh Resident of Village- Jurawanpur, P.S.- Jurawanpur, District- Vaishali.
2. Ajit Kumar Son of Nityanand Singh Resident of Village- Narauli, P.S.- Salimpur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dhirendra Kumar
For the State	:	Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 08-09-2020 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.

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, 325, 307, 379, and 504/34 of the Indian Penal Code.

Allegedly, on the date of occurrence, the accused persons took cold drink from the shop of informant. Thereafter, the accused persons complained of quality of cold drink and having



taken out pistol, they assaulted the informant by lathi on his scalp causing bleeding injuries. It is also alleged that Rs. 22240/- was taken away by the accused persons from the cash box.

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 been falsely implicated in the present case. The date of occurrence is said to be 15-04-2019 and the case was lodged on 17-04-2019. The delay in instituting the FIR has not been explained by the prosecution. A petition has been filed by the informant in the court below where he retracted from his earlier statement, made in the FIR.

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

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Vaishali at Hajipur in connection with



Jurawanpur P.S. Case No. 41 of 2019 subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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