

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17222 of 2021

Arising Out of PS. Case No.-151 Year-2020 Thana- CHARPOKHARI District- Bhojpur

1. ANAND KUMAR @ ANAND SINGH S/o Ganesh Singh R/o village- Liarai, P.S.- Chapokhari, District- Bhojpur
2. Santosh Kumar Singh @ Santosh Kumar S/o Ram Chander Singh R/o village- Liarai, P.S.- Chapokhari, District- Bhojpur
3. Kamlesh Kumar Singh @ Kamlesh Singh S/o Raj Ji Yadav R/o village- Liarai, P.S.- Chapokhari, District- Bhojpur
4. Umrawati Devi W/o Ganesh Singh R/o village- Liarai, P.S.- Chapokhari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar, Advocate.
For the Opposite Party/s	:	Mr.A.G.
For the informant	:	Mr. Ramakant Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner No. 3 namely, Kamlesh Kumar Singh @ Kamlesh Singh as during pendency of this application, he has been taken into judicial custody.



Permission is granted.

Accordingly, this application with regard to petitioner No. 3 namely, Kamlesh Kumar Singh @ Kamlesh Singh is dismissed as withdrawn.

The petitioner Nos. 1, 2 & 4 are apprehending their arrest in a case registered for the offence under Sections 147, 341, 504, 323, 325, 506, 307, 379 of the Indian Penal Code.

Allegedly, while the informant's wife was cutting grass, the accused persons having armed with lathi, bhala and sword came there and started abusing and in consequence thereof, the accused persons assaulted the informant, his father and brother as a result of which, they sustained injuries.

It has been submitted on behalf of the petitioner Nos. 1, 2 & 4 that the petitioner Nos. 1 & 4 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos. 1, 2 & 4. The petitioner Nos. 1, 2 & 4 have been falsely implicated in the present case. General and omnibus allegation has been made against them. No specific overt act is alleged against the petitioner Nos. 1, 2 & 4. The specific allegation of assault is alleged against co-accused Shailendra Kumar Singh. There is case and counter case between the parties. Free fight is alleged to have taken



place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. The petitioner No. 4 is a lady.

On behalf of the State, it is submitted that the petitioner Nos. 1, 2 & 4 are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner Nos. 1, 2 & 4, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on 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, Bhojpur in connection with Charpokhari P.S. Case No. 151 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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