

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17893 of 2021

Arising Out of PS. Case No.-304 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

1. SHYAM RATHI RAM S/o Late Bhagat Ram Resident of Village- Jaruha, P.S.- Kudra, District- Kaimur (Bhabua).
2. Shyam Sundar Ram S/o Shyam Rathi Ram Resident of Village- Jaruha, P.S.- Kudra, District- Kaimur (Bhabua).
3. Din Dayal Ram S/o Shyam Rathi Ram Resident of Village- Jaruha, P.S.- Kudra, District- Kaimur (Bhabua).
4. Tej Bahadur Ram S/o Shyam Rathi Ram Resident of Village- Jaruha, P.S.- Kudra, District- Kaimur (Bhabua).
5. Laxmina Devi W/o Shyam Rathi Ram Resident of Village- Jaruha, P.S.- Kudra, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Pandey
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2021 Learned counsel for the petitioner seeks permission of the Court to withdraw this application in respect of petitioner no. 1 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner no. 1.

Heard learned counsel for the petitioner nos. 2 to 5 and learned APP for the State.

Learned counsel for the petitioner nos. 2 to 5 is



directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioner nos. 2 to 5 are apprehending their arrest in a case registered under Sections 147, 149,, 341, 323, ,324, 325, 308, 504 and 506 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons assaulted the informant and family members due to which they sustained injuries.

It has been submitted on behalf of the petitioner nos. 2 to 5 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 2 to 5. The petitioner nos. 2 to 5 have falsely been implicated in the present case. There is a case and counter case between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. Petitioner no. 5 is a lady.

On behalf of the State, it is submitted that the petitioner nos. 2 to 5 are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner nos. 2 to 5, 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 A.C.J.M. -VI, Bhabhua, Kaimur in connection with Kudra P.S. Case No. 304 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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