

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22740 of 2021

Arising Out of PS. Case No.-150 Year-2020 Thana- KHARHAGPUR District- Munger

1. JITENDRA MANDAL @ JITENDRA KUMAR S/o Karelal Mandal @ Shashidhar Mandal R/o village- Situhar, P.S.- Kharagpur, Distt- Munger
2. GURIYA KUMARI D/o Karelal Mandal @ Shashidhar Mandal R/o village- Situhar, P.S.- Kharagpur, Distt- Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioners and learned
APP for the State.

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

Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner No.1, as the petitioner No.1 has been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner No.1 is dismissed as withdrawn.

The petitioner No.2 is apprehending her arrest in



connection with Kharagpur P.S. case No.150/20 registered under Sections 147, 148, 149, 341, 323, 307 of the Indian Penal Code and 27 of the Arms Act.

Allegation is that the accused persons having lathi, danda, and rod in their hands came at the house of the informant and co-accused Dipak Kumar fired from his pistol causing injury to him and other accused persons assaulted him with lathi and danda causing injuries to him.

It has been submitted on behalf of the petitioner No.2 that the petitioner No.2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No.2. The petitioner No.2 has falsely been implicated in the present case. General and omnibus allegation has been made. No specific overt act is alleged against the petitioner No.2. Specific allegation of assault is alleged against co-accused Dipak Kumar. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands. The petitioner No.2 is a lady.

On behalf of the State, it is submitted that the petitioner No.2 is named in the complaint case/F.I.R.



Considering the facts and circumstances of the case, the petitioner No.2, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, Munger in connection with G.R. No.1070/2020 arising out of Kharagpur P.S. case No.150/20, 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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