

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24979 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- SAHIYARA District- Sitamarhi

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1. Nitesh Kumar Singh Son of Munna Singh Resident Of Village - Manariya, P.S.- Sahiyara, Distt.- Sitamarhi.
 2. Umashankar Singh Son Of Late Krishna Nandan Singh Resident Of Village - Manariya, P.S.- Sahiyara, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

When the informant and his family members were sitting at their door, petitioners along with other co-accused armed with lathi, iron rod, iron dab, sharp cutting weapons, country made pistol etc. came and started abusing and assaulting



the informant.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case due to previous land dispute. He submits that allegation levelled against the petitioners is general and omnibus in nature. He further submits that petitioners bear no criminal antecedent as stated in para-3 of the bail application.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific allegation against the petitioner no. 2, the above named petitioner no. 2 in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sahiyara P.S. Case No. 04 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as the petitioner no. 1 is concerned, he assaulted the informant by means of Garasa on the body of the



informant, I am not inclined to enlarge the petitioner no. 1 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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