

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29698 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- SURYAPUR District- Rohtas

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1. SURENDRA SINGH, aged about 40 years (M) S/o Ramadhar Singh
 2. Ramadhar Singh, aged about 70 years (M) S/o Late Devchand Singh
 3. Ravi Kumar, aged about 24 years (M) S/o Vijay Bahadur Singh
 4. Sanjeet Kumar @ Sujeet Kumar, aged about 20 years (M), S/o Jai Singh All are R/o village- Dhango, P.S.- Suryapura, Distt.- Rohtas at Sasaram

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s :	Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 22-10-2021 Learned counsel for the petitioners has submitted that during pendency of this application, petitioner no.3, namely, Ravi Kumar and petitioner no.4, Sanjeet Kumar @ Sujeet Kumar have already been apprehended, as such, present petition with respect to petitioner no.3, namely, Ravi Kumar and petitioner no.4, Sanjeet Kumar @ Sujeet Kumar has become infructuous and, as such, he seeks permission to withdraw this application as against them.

Accordingly, this application is dismissed as withdrawn with respect to petitioner no.3, namely, Ravi Kumar

and petitioner no.4, Sanjeet Kumar @ Sujeet Kumar.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147,149,341,323,307,379,504 and 506 of the Indian Penal Code.

Informant has alleged that on 21.10.2020 at 08:00 p.m., she along with her children were at her home and while she was cooking food and her husband was sitting at the door, she heard some hue and cry and thereafter she went outside and saw that FIR named accused variously armed with Lathi, danda and iron rod were assaulting her husband and when she went to save her husband, she was also assaulted by Ramadhar Singh (petitioner no.2).

It is submitted on behalf of petitioners that they have falsely implicated in this case on account of previous dispute. There is no allegation of any overt act on behalf of petitioner no.1, Surendra Singh and allegations are general and omnibus in nature. Petitioner no.2 is Ramadhar Singh, aged about 70 years and allegations made against him is not probable. One injury each has been found on person of informant and her husband which are simple in nature.

Considering the aforesaid facts and circumstances of the case, let the petitioner no.1, namely, Surendra Singh and petitioner no.2, namely, Ramadhar Singh be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Suryapura P.S. Case No.157 of 2020 subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(S. Kumar, J)

Sanjay/-

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