

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33689 of 2021

Arising Out of PS. Case No.-480 Year-2020 Thana- SHEKHPURA District- Sheikhpura

1. BINOD SINGH @ BHOMBHU SINGH S/O Late Khelo Singh R/O- Village Bhadaus, P.S. - Sheikhpura, District - Sheikhpura.
2. Awadhesh Kumar S/O Late Khelo Singh R/O- Village Bhadaus, P.S. - Sheikhpura, District - Sheikhpura.
3. Nandlal Singh S/O Binod Singh @ Bhombhu Singh R/O- Village Bhadaus, P.S. - Sheikhpura, District - Sheikhpura.
4. Gaurav Kumar @ Gaurav Singh S/O Binod Singh @ Bhombhu singh R/O- Village Bhadaus, P.S. - Sheikhpura, District - Sheikhpura.

... .. 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.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-09-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

The present matter has been listed out of turn on the mentioning slip filed on behalf of the petitioners stating therein that the petitioner No.2 has already been arrested and the present application filed on behalf of petitioner No.2 has become infructuous. Let the mentioning slip filed on behalf of the petitioner be kept on the record.

The application filed on behalf of petitioner No.2 is dismissed as withdrawn.



Counsel for the petitioner Nos.1, 3 and 4 is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioner Nos.1, 3 and 4 are apprehending their arrest in connection with Sheikhpura P.S. case No.480/2020 registered under Sections 147, 148, 149, 323, 307, 506, 504 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation is that the accused persons including the petitioner Nos.1, 3 and 4 assaulted the informant by means of iron rod and petitioner Nos.3 and 4 assaulted the informant with butt of rifle, due to which he sustained injuries.

It has been submitted on behalf of the petitioner Nos.1, 3 and 4 that the petitioner Nos.3 and 4 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos.1, 3 and 4. The petitioner Nos.1, 3 and 4 have falsely been implicated in the present case. 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. Counter case is Annexure 3 to the present application.

On behalf of the State, it is submitted that the



petitioner Nos.1, 3 and 4 are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner Nos.1, 3 and 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 their personal bond to the satisfaction of learned C.J.M., Sheikhpura in connection with Sheikhpura P.S. case No.480 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner Nos.1, 3 and 4 will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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