

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37006 of 2020

Arising Out of PS. Case No.-40 Year-2020 Thana- GAUNAHA District- West Champaran

1. SAURABH KUMAR S/O Bindeshwari yadav @ Bindeshwari Prasad Yadav @ Bindeshwari Prasad R/O Village - Belwa Bahuari, P.S. Gaunaha, District - West Champaran.
2. Raviranjana Kumar S/o Bindeshwari Yadav @ Bindeshwari Prasad Yadav @ Bindeshwari Prasad R/O Village - Belwa Bahuari, P.S. Gaunaha, District - West Champaran.
3. Madhu Kumar S/O Bindeshwari Yadav @ Bindeshwari Prasad Yadav @ Bindeshwari Prasad R/O Village - Belwa Bahuari, P.S. Gaunaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. APP
For the informant	:	Mr. Shashi Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-04-2021 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant through virtual mode.

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

The petitioners are apprehending their arrest in a case registered under Sections 147, 447, 341, 323, 324, 307, 504/34 of I.P.C.

The prosecution case, in short, is that the accused



persons assaulted the informant by means of garasa on his head, due to which he sustained injury on his head.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in this case. The petitioners are not named in the F.I.R. Their names have come in this case in course of investigation. It is 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.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are not named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Gaunaha P.S. case No.40 of



2020, 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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