

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45010 of 2021**

Arising Out of PS. Case No.-19 Year-2021 Thana- PAUTHU District- Aurangabad

1. Upendra Singh S/O Late Rajdeo Singh
2. Amit Kumar S/O Sri Upendra Singh
3. Gautam Kumar S/O Sri Upendra Singh
4. Guddu Kumar S/O Sri Upendra Singh
All R/O Village-Balihari, P.S-Pauthu, District-Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv
For the Opposite Party/s : Mrs.Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 20-12-2021 Petitioners are permitted to make correction in the
cause title of the bail petition.

Heard learned counsel for the parties.

Let the defect(s), if any, be removed within two weeks
after complete start of the physical Court.

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

Shyama Devi wife of petitioner No.1- Upendra Singh
lodged the criminal case against the informant of this case and
others alleging therein that the son of the informant had entered
into her house with intent to sexually assault a female member



of the family. Copy of the FIR is at Annexure-2. In the aforesaid background, allegation is general and omnibus of commission of assault even causing injury at the head. Doctor has found single head injury.

Submission is that it is difficult to attribute as to which of the four petitioners had caused the single head injury. Moreover, in the background of the allegation, chances of concoction cannot be ruled out. Petitioners have got no criminal antecedent.

Considering submission aforesaid especially the background of allegation, let the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Pauthu Police Station Case No. 19 of 2021, G.R.Case No.500 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioners shall fully cooperate with the



investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioners.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioners shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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