

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33135 of 2020

Arising Out of PS. Case No.-71 Year-2020 Thana- BAIKUNTHPUR District- Gopalganj

1. UMESH RAI S/o- Jainath Rai Resident of Village- Banaura, P.S.- Baikunthpur, District- Gopalganj.
2. Pankaj Rai S/o- Jagdish Rai Resident of Village- Banaura, P.S.- Baikunthpur, District- Gopalganj.
3. Munna Rai S/o- Late Sakdeo Roy Resident of Village- Banaura, P.S.- Baikunthpur, District- Gopalganj.
4. Lallan Rai S/o- Late Sakdeo Roy Resident of Village- Banaura, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 23-02-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned 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 341, 323, 324, 307, 504, 506/34 of the
Indian Penal Code and 27 of the Arms Act.

Allegedly, on the occasion of Holi, all the accused persons



named in the FIR armed with deadly weapons came at the door of informant and surrounded the informant and her family members. They abused the informant and started hitting the informant and others by sharp weapons. On alarm when one Raj Kumar came to rescue, he was also assaulted.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Gopalganj in connection with Baikunthpur
P.S. Case No. 71 of 2020 subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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