

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33788 of 2020

Arising Out of PS. Case No.-235 Year-2016 Thana- RAJAON District- Banka

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1. PRABHAS PANJIYARA Son of RAJENDRA PANJIYARA Resident of Village - Naripa, P.S.- Rajoun, Distt.- Banka.
 2. KIRAN DEVI W/o of Prabhash Panjiyara Resident of Village - Naripa, P.S.- Rajoun, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-03-2021 Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

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

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 308, 504, 506/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners abused the informant and co-accused Divya Devi assaulted the informant by means of lathi causing head injury and when the brother, mother and father of the informant came to save him, they were also assaulted by the accused persons.



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 falsely been implicated in the present case. No specific overt act is alleged against the petitioners. The specific allegation is against the co-accused Divya Devi. 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.

On behalf of the State, it is submitted that the petitioners are named in the 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 six 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 C.J.M., Banka in connection with Rajoun P.S. case No.235 of 2016, 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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