

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34135 of 2020

Arising Out of PS. Case No.-70 Year-2020 Thana- DUMARIAGHAT District- East
Champaran

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1. NANDU RAI @ NANDU YADAV S/o Late Deodhari Rai Resident of Village-Navin Gandhi Nagar, South Hussaini, P.S.-Dumariya Ghat, District-East Champaran.
 2. CHANDESHWAR RAI @ CHANDESHWAR KUMAR S/o Kapil Rai Resident of Village-Navin Gandhi Nagar, South Hussaini, P.S.-Dumariya Ghat, District-East Champaran.
 3. MADHU RAI @ MADHO RAI S/o Late Deodhari Rai Resident of Village-Navin Gandhi Nagar, South Hussaini, P.S.-Dumariya Ghat, District-East Champaran.
 4. SHRI BHAGWAN RAI @ SHRI BHAGWAN S/o Jagat Rai Resident of Village-Navin Gandhi Nagar, South Hussaini, P.S.-Dumariya Ghat, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 03-03-2021 Learned counsel for the petitioners is directed to remove the defects, 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 147, 148, 149, 341, 323, 307, 324, 354(B), 504, 506 of the Indian Penal Code.



The prosecution allegation, in short, is that the accused persons came to the house of the informant and assaulted her devar and other family members due to which they sustained injuries.

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. There is a case and counter case between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out..

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

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 A.C.J.M. -I, East Champaran at Motihari in connection with Dhaka Dumariyaghat



P.S. Case No. 70/2020, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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