

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33816 of 2020

Arising Out of PS. Case No.-99 Year-2020 Thana- RAGHUNATHPUR District- Siwan

1. Dindayal Bin son of Late Bhadayi Bin resident of village- Shitalpur, P.s.- Raghunathpur, Dist.- Siwan
2. Shiv Shankar Bin son of Late Bhadayi Bin resident of village- Shitalpur, P.s.- Raghunathpur, Dist.- Siwan
3. Jay Prakash Bin @ Prakash Bin son of Dindayal Bin resident of village- Shitalpur, P.s.- Raghunathpur, Dist.- Siwan
4. Bhulendra Bin son of Dindayal Bin resident of village- Shitalpur, P.s.- Raghunathpur, Dist.- Siwan
5. Shambhu Bin son of Late Chaturi Bin resident of village- Shitalpur, P.s.- Raghunathpur, Dist.- Siwan
6. Dugesh Bin @ Durgesh Kr. Bin son of Shambhu Bin resident of village- Shitalpur, P.s.- Raghunathpur, Dist.- Siwan
7. Visheshwa Bin @ Bishesar Bin son of Vikrama Bin resident of village- Shitalpur, P.s.- Raghunathpur, Dist.- Siwan
8. Mantu Bin son of Bisheshwar Bin resident of village- Shitalpur, P.s.- Raghunathpur, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Dr. Chandrasen Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-03-2021 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 147, 148, 149, 341, 323, 324, 325, 307, 354, 379/34 of the Indian Penal Code.

Allegedly, in the backdrop of flashing torchlight by informant,s son, all the accused persons having armed with lathi, danda and iron-rod, assaulted the informant causing injury on his left hand finger. The wife of the informant was also assaulted and sustained bleeding injury. When the other family members came to rescue, they were 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. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. There is case and counter case 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, Siwan in connection with Raghunathpur P.S. Case No. 99 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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