

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35263 of 2020

Arising Out of PS. Case No.-139 Year-2020 Thana- ISLAMPUR District- Nalanda

1. MOTI PRASAD @MOTI YADAV S/o Late Bishundeo Yadav R/o village- Khedan Bigha, P.S.- Islampur, District- Nalanda
2. Munna Kumar @ Munna Yadav S/o Ram Chandra Yadav R/o village- Khedan Bigha, P.S.- Islampur, District- Nalanda
3. Arvind Kumar @ Arvind Yadav S/o Deo Saran Yadav R/o village- Khedan Bigha, P.S.- Islampur, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioners and learned APP
for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 143, 147, 148, 149, 341, 323, 333, 307, 353, 427, 506 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons by creating unlawful assembly attacked on police party and assaulted them and also pelted stones.

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. Five persons named in the F.I.R. along with 100 unknown persons are said to have participated in the alleged occurrence. Specific allegation of assault is alleged against co-accused persons namely Kapil and Raju who have assaulted on the informant side. There is no allegation of assault alleged against the petitioners.

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 A.C.J.M. Hilsa, Nalanda in connection with Islampur P.S. Case No. 139 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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