

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39216 of 2020**

Arising Out of PS. Case No.-88 Year-2020 Thana- GUTHANI District- Siwan

Harendra Bishwakarma @ Gajendra Bishwakarma Son Of Late Indrashan
Bishwakarma R/O Village - Balua, P.S. - Guthani, District - Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Sager Sharma, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 13-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in connection with Guthani P.S. case No.88/2020 registered under Sections 341, 323, 302/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner assaulted the father of the informant by means of lathi, fists and slaps, due to which he sustained injuries. The father of the informant was taken to the Hospital for treatment, where the doctor declared his dead.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per the F.I.R., there is general and omnibus allegation of assault alleged against the accused persons. From perusal of the postmortem report, it appears that there is no external injury found on the body of the deceased. The postmortem report does not support the allegations made in the F.I.R.

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

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned C.J.M., Siwan in connection with Guthani P.S. case No.88/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection



with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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