

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37635 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- HALSI District- Lakhisarai

1. MANOJ PANDIT son of Arjun Pandit Resident of Village- Barhara, P.S. Halsi, District- Lakhisarai
2. Amit Pandit son of Niri Pandit Resident of Village- Barhara, P.S. Halsi, District- Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Umesh Prasad, Advocate
For the State	:	Mr.Sunil Kumar Pandey, APP
For the informant	:	Mr. Madan Jeet Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-09-2021 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant through virtual mode.

Counsel for the petitioners 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 petitioners are apprehending their arrest in connection with Halsi P.S. case No.44 of 2020 registered under Sections 302/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners along with some unknown persons dragged the son of the informant from his house and assaulted badly. During



course of treatment, the son of the informant died.

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. As per the prosecution case, the accused persons including the petitioners are said to have assaulted the deceased. The weapons used in the assault have not been indicated by the prosecution. From perusal of the postmortem report, it appears that there is no external injury on the body of the deceased and the deceased is said to have died due to drowning. The postmortem report does not support the allegations made in the F.I.R.

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

Considering the facts and circumstances of the case, the petitioners, 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 their personal bond to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Halsi P.S. case No.44/2020,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners 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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