

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38713 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- MEDNI CHAUKI District- Lakhisarai

1. BALAM KUMAR Son of Tuko Mahto Resident of Village - Banshipur, Chand Tola, P.S.- Medni Chowki, Distt.- Lakhisarai.
2. Mithun Kumar Son of Kamli Mahto Resident of Village - Banshipur, Chand Tola, P.S.- Medni Chowki, Distt.- Lakhisarai.
3. Laxman Kumar Son of Kamli Mahto Resident of Village - Banshipur, Chand Tola, P.S.- Medni Chowki, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Smt. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2021 Heard learned counsel for the petitioners and learned
APP for the State 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 Mednichowki P.S. case No.03/2020 registered under Sections 323, 147, 148, 149, 341, 307, 448 and 506 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners assaulted the informant's brother, nephew and



Sindhu Devi by means of lathi, rod, belcha, due to which they sustained injuries on their head and hand.

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. The nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out. At best, an offence under Section 325 of I.P.C. is made out.

On behalf of the State, 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 A.C.J.M. 1, Lakhisarai in connection with Mednichowki P.S. case No.03/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will 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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