

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38055 of 2020

Arising Out of PS. Case No.-131 Year-2020 Thana- NAUTAN District- West Champaran

1. GUDDU KUMAR Son of Lorik Sah Resident of Village - Baikunthwa, Police Station - Nautan, District - West Champaran.
2. Lakshaman Kumar Son of Jawahir Prasad Resident of Village - Baikunthwa, Police Station - Nautan, District - West Champaran.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-02-2021 Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in a case registered for the offence punishable under Section 379, 380, 457, 511, 413 & 414/34 of the Indian Penal Code.

Petitioners along with one co-accused are said to have caught by the informant in association of villagers while they were trying to climb on the roof of the informant and were handed over to the police.



It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. As a matter of fact, during the lock down, due to COVID-19, they were passing through the house of the informant but, on suspicion, they were caught, badly assaulted by the informant and others and handed over to the police. Neither the motorcycle nor the electric motor belonged to the petitioners. No incriminating article has been recovered from the conscious physical possession of the petitioners. The allegation levelled against the petitioners are not specific rather general and omnibus in nature. They have no criminal antecedent and have been languishing in custody since 02.05.2020.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Nautan Jagdishpur P.S. Case No.131 of 2020.

(Anjani Kumar Sharan, J)

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