

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38135 of 2020

Arising Out of PS. Case No.-70 Year-2020 Thana- HALSI District- Lakhisarai

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1. SITA RAM SINGH Son of Late Maha Singh Resident of Village- Mahsoni, P.S.- Halsi, District- Lakhisarai.
 2. Chandan Singh @ Chandan Kumar Son of Sita Ram Singh Resident of Village- Mahsoni, P.S.- Halsi, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2021 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 after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 323, 341, 307, 504, 379, 506 of the Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that the accused persons, variously armed, assaulted the informant while he was working in the field. The persons came in rescue were also assaulted by the accused persons.



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. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. There is a case and counter case between the parties. A free fight is alleged to have taken place. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out..

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of Judicial Magistrate, 1st Class, Lakhisarai in connection with Halsi P.S. Case No. 70/20, 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) each



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)

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