

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40226 of 2020

Arising Out of PS. Case No.-503 Year-2019 Thana- BIDUPUR District- Vaishali

1. SHANKAR RAI S/o Late Tuna Rai Resident of Vill.- Bishunpur, P.S.- Bidupur, Distt.- Vaishali.
2. Dinesh Rai S/o Lal Babu Rai Resident of Vill.- Bishunpur, P.S.- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 379, ,504, 506 and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons brutally assaulted the informant due to which he sustained injuries.

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 alleged occurrence is said to have taken place on 17.11.2019 for which the case was instituted on 08.12.2019. The delay has not been explained. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

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

Considering the aforesaid facts and circumstances, let 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 503 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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