

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5521 of 2021

Arising Out of PS. Case No.-292 Year-2019 Thana- BELHAR District- Banka

1. SANJAY KUMAR SINGH @ SANJAY PRASAD SINGH Son of Late Prasad Singh Resident of village - Rattochak, P.S. - Belhar, District - Banka.
2. ROSHAN KUMAR Son of Sanjay Kumar Singh @ Sanjay Prasad Singh Resident of village - Rattochak, P.S. - Belhar, District - Banka.
3. GULSHAN KUMAR Son of Sanjay Kumar Singh @ Sanjay Prasad Singh Resident of village - Rattochak, P.S. - Belhar, District - Banka.
4. MAUSHAM KUMAR @ PURUSHOTTAM KUMAR SINGH Son of Sanjay Kumar Singh @ Sanjay Prasad Singh Resident of village - Rattochak, P.S. - Belhar, District - Banka.
5. PUNAM DEVI Wife of Sanjay Kumar Singh @ Sanjay Prasad Singh Resident of village - Rattochak, P.S. - Belhar, District - Banka.
6. ARCHANA DEVI @ ARCHANA KUMARI Wife of Mausham Kumar @ Purushottam Kumar Singh Resident of village - Rattochak, P.S. - Belhar, District - Banka.
7. UMESH PRASAD SINGH Son of Late Bishwanath Prasad Singh Resident of village - Goargama, P.S. - Belhar, District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2021 At the outset, learned counsel for the petitioners seek permission to withdraw the application of petitioner nos. 1,2 and 3 as the same has been arrested during the pendency of the application.

Permission is granted.

Accordingly, the application as against petitioner no.



1, 2 & 3, namely, Sanjay Kumar Singh @ Sanjay Prasad, Roshan Kumar and Gulshan Kumar is dismissed as withdrawn

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners are expected to honour their undertaking to remove the defects, as pointed out by the office, when called upon to do so by the office.

The petitioners are apprehending their arrest in connection with Belhar P.S. Case No. 292 of 2019 for the offence registered under Sections 341, 323, 504, 379, 325 and 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners is that they assaulted the informant and snatched a golden Chain.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the alleged offence took place on 01.09.2019 but the fardbeyan has been given on 06.09.2019 after delay of five days which shows that after though this case has been lodged. It is further submitted that there is general an omnibus allegation against the petitioner.

Considering the facts and circumstances of the case,



let the petitioner nos. 4,5,6 & 7, above named, in the event of their arrest/surrender before the court below within a period of four 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, Banka in connection with Belhar P.S. Case No. 292 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Sunil Kumar Panwar, J)

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