

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40256 of 2020

Arising Out of PS. Case No.-76 Year-2020 Thana- BALRAMPUR District- Katihar

1. LALU RAY @ LALU KUMAR RAY Son of Ganesh Ray Resident of Village - Gorra Samalpur, P.S.- Balrampur, Distt.- Katihar.
2. GANESH RAY Son of Ramesh Ray Resident of Village - Gorra Samalpur, P.S.- Balrampur, Distt.- Katihar.
3. Dipali Devi W/o Ganesh Ray Resident of Village - Gorra Samalpur, P.S.- Balrampur, Distt.- Katihar.
4. Radha Kumari D/o Ganesh Ray Resident of Village - Gorra Samalpur, P.S.- Balrampur, Distt.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, , Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-07-2021 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 a case registered under Sections 341, 323, 324, 307, 354A, 504/34 of the Indian Penal Code.

Allegation is that the petitioners No.1 and 2 assaulted three daughters of the informant by means of knife and dabiya,



due to which they sustained grievous 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. Petitioners No.1 and 2 are said to have assaulted three daughters of the informant. The nature of injury is said to be grievous. Petitioners No.3 and 4 are ladies. No allegation of assault is alleged against petitioners No.3 and 4. It has further been submitted on behalf of the petitioners that the informant has filed a petition in the court below, in which he has retracted from his earlier statement made in the F.I.R.

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

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners No.1 and 2. The prayer for anticipatory bail filed on behalf of petitioners No.1 and 2 is rejected.

If the petitioners No.1 and 2 surrender before the court below and pray for regular bail, same shall be considered on its own merit without being prejudiced by this order.

Let the petitioners No.3 and 4, 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. VI, Katihar in connection with Balrampur P.S. case No.76 of 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 No.3 and 4 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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