

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1393 of 2021

Arising Out of PS. Case No.-275 Year-2019 Thana- RANIYATALAB District- Patna

1. SHIV NANDAN UPADHYAY S/o Brij Nandan Upadhyay Resident of Village - Jitan Chhapara, P.S. - Rani Talab, District - Patna
2. PRAHLAD UPADHYAY S/o Ram Janam Upadhyay Resident of Village - Jitan Chhapara, P.S. - Rani Talab, District - Patna
3. AMARJEET UPADHYAY S/o Prahlad Upadhyay Resident of Village - Jitan Chhapara, P.S. - Rani Talab, District - Patna
4. NARAYAN UPADHYAY S/o Girijanand Upadhyay Resident of Village - Jitan Chhapara, P.S. - Rani Talab, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Chhaya Kirti, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2021 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.

Counsel for the petitioners seeks permission to withdraw the present application filed on behalf of petitioner No.4, as the petitioner No.4 has been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner No.4 is



dismissed as withdrawn.

The petitioners No.1 to 3 are apprehending their arrest in a case registered under Sections 147, 148, 149, 337, 338, 307 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 of the Arms Act.

Allegation against the petitioners No.1 to 3 is of brick batting upon the informant side.

It has been submitted on behalf of the petitioners No.1 to 3 that the petitioners No.1 to 3 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners No.1 to 3. The petitioners No.1 to 3 have falsely been implicated in the present case. Free fight is alleged to have taken place and brick batting is also being made from both the sides. No specific allegation of assault has been made against the petitioners No.1 to 3. General and omnibus allegation has been made.

On behalf of the State, it is submitted that the petitioners No.1 to 3 are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners No.1 to 3, 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 Sri P.K. Malviya, J.M. First class, Danapur in connection with Rani Talab P.S. case No.275 of 2019, 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.1 to 3 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/-

U		T	
---	--	---	--

