

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1397 of 2021**

Arising Out of PS. Case No.-421 Year-2020 Thana- SONEPUR District- Saran

1. KAMESHWAR RAM Son of LATE MUSAFIR RAM Resident of Village - Barbatta Ward No. 10, P.s.- Sonepur, Dist.- Saran.
2. DEEPAK KUMAR Sonof Kameshwar Ram Resident of Village - Barbatta Ward No. 10, P.s.- Sonepur, Dist.- Saran.
3. RAUKI KUMAR SON OF KAMESHWAR RAM Resident of Village - Barbatta Ward No. 10, P.s.- Sonepur, Dist.- Saran.
4. REKHA KUMARI D/O KAMESHWAR RAM Resident of Village - Barbatta Ward No. 10, P.s.- Sonepur, Dist.- Saran.
5. RAGINI KUMARI D/O KAMESHWAR RAM Resident of Village - Barbatta Ward No. 10, P.s.- Sonepur, Dist.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                     |   |                                   |
|---------------------|---|-----------------------------------|
| For the Petitioners | : | Mr.Gajendra Kumar Singh, Advocate |
| For the State       | : | Mr. APP                           |
| For the informant   | : | Mr. Sachidanand Rai, Advocate     |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      13-04-2021                      Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Section 147, 148, 149, 341, 323, 324, 307, 354(B), 379, 504, 506 of the Indian Penal Code.



The prosecution case, in short, is that the accused persons and 10-12 unknown persons armed with iron rod, hockey stick and country made pistol surrounded and assaulted the informant and his family members, due to which they sustained injuries and they misbehaved with the wife of informant and torn her clothes and snatched gold locket from the possession of the wife of informant.

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 this case. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands. Except for offence under Section 307 of I.P.C., rest of the offences are triable by the Magistrate.

On behalf of the State and learned counsel for the informant, 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 six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Chapra (Saran) in connection with Sonapur P.S. case No.421 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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