

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58434 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- NAUTAN District- West Champaran

1. BIRENDRA PRASAD Son of Late Harinarayan Prasad Resident of Village - Dhumnagar, P.S.- Nautan, District - West Champaran.
2. Upendra Prasad Son of Gorakh Prasad Resident of Village - Dhumnagar, P.S.- Nautan, District - West Champaran.
3. Dayanand Prasad Son of Gorakh Prasad Resident of Village - Dhumnagar, P.S.- Nautan, District - West Champaran.
4. Madan Prasad Son of Late Harinarayan Prasad Resident of Village - Dhumnagar, P.S.- Nautan, District - West Champaran.
5. Surendra Prasad Son of Gorakh Prasad Resident of Village - Dhumnagar, P.S.- Nautan, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2021 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 147, 341, 323, 325, 427, 354B, 504
and 506 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused



persons assaulted the informant and family members due to which they sustained injuries. The accused persons also misbehaved with the bhabhi of the 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 the present case. 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. The alleged occurrence is said to have taken place on 27.3.2020 for which case was instituted on 15.4.2020. The delay has not been explained by the prosecution.

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

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, Bettiah, West Champaran in connection with Nautan
P.S. Case No. 113/2020, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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