

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58232 of 2021

Arising Out of PS. Case No.-56 Year-2021 Thana- KURLIKOT District- Kishanganj

1. Bihari Prasad Deo @ Bihari Lal Dev S/O Mohit Lal Dev R/O Village-Bhaisloti Dev Nagar, P.S-Kurlikot, District-Kishanganj.
2. Subash Lal Dev @ Subhash Prasad Deo S/O Mohit Lal Dev R/O Village-Bhaisloti Dev Nagar, P.S-Kurlikot, District-Kishanganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

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

Counsel for the petitioners seeks permission to
withdraw the present application on behalf of petitioner No.2, as
the petitioner No.2 has been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner No.2 is
dismissed as withdrawn.

The petitioner No.1 is apprehending his arrest in



connection with Kurlikort P.S. case No.56 of 2021 registered under Sections 147, 148, 149, 323, 324, 307, 354, 379, 504, 506 of the Indian Penal Code.

Allegation is that the accused persons assaulted the informant and his mother and brothers, due to which they sustained injuries on their head.

It has been submitted on behalf of the petitioner No.1 that there is no allegation of tampering of witnesses alleged against the petitioner No.1. The petitioner No.1 has falsely been implicated in the present case. The nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out. At best, Section 324 of I.P.C. is attracted in the present case.

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

Considering the facts and circumstances of the case, the petitioner No.1, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st class, Kishanganj in connection with



Kurlikot P.S. case No.56 of 2021, 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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