

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5319 of 2021

Arising Out of PS. Case No.-75 Year-2020 Thana- KARTAHA District- Vaishali

1. Tarkeshwar Singh @ Tara Singh, aged 41 years (Male), Son of Devi Singh, Residence of Village - Kartaha Buzurg, P.S. - Kartaha, District - Vaishali.
2. Anil Singh, aged about 45 years (Male), Son of Late Prabhunath Singh, Residence of Village - Kartaha Buzurg, P.S. - Kartaha, District - Vaishali.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Awadhesh Kumar Singh, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-08-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 148, 149, 341, 323, 324, 325, 307, 504 and 506 of the I.P.C.

The prosecution story, in brief, is that the petitioners alongwith other co-accused after forming an unlawful assembly assaulted and injured the informant and her family members.

It has been submitted by learned counsel for the



petitioners that the petitioner no. 2 has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Injury on the side of accused persons has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners 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 the learned Sub Judge-16-cum-Additional Chief Judicial Magistrate-15th, Vaishali at Hajipur, in connection with Kartaha P.S. Case No. 75 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 shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each only 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)

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