

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5282 of 2021

Arising Out of PS. Case No.-686 Year-2019 Thana- MAHUA District- Vaishali

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1. RADHEY KRISHNA SINGH S/o Dasrath Singh R/o village- Fatehpur Pakari, P.S.- Mahua, District- Vaishali
 2. Satish Kumar Sudhansu S/o Radhe Krishna Singh R/o village- Fatehpur Pakari, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-08-2021 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.

The petitioners are apprehending their arrest in connection with Mahua P.S. case No.686 of 2019 registered under Sections 448, 323, 324, 307, 504/34 of the Indian Penal Code.

Allegation is that the petitioners assaulted the informant by means of iron rod and sword, due to which he sustained injuries on his head.



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. 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. The case has been instituted after three days of the alleged occurrence. Delay has not been explained by the prosecution.

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

Considering the facts and circumstances of the case, 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 learned C.J.M., Vaishali at Hajipur in connection with Mahua P.S. case No.686 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 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/-

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