

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5973 of 2021

Arising Out of PS. Case No.-133 Year-2020 Thana- NAUBATPUR District- Patna

1. SONU KUMAR S/o Shiv Yadav Resident of Vill.- Bhagwanpur Tola, P.S.- Naubatpur, Distt.- Patna.
2. Deverjit Yadav @ Deverjit Rai S/o Late Sumeru Yadav Resident of Vill.- Bhagwanpur Tola, P.S.- Naubatpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-08-2021 Heard learned counsel for the petitioners and the State 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 after restoration of normalcy.

The petitioners are apprehending their arrest in Naubatpur P.S. Case No. 133 of 2020 registered under Sections 341, 323, 307/34 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, while the informant was at his door, the accused persons having armed with lathi, danda, and pistol came at his door and assaulted two persons, as a result of which, both of them sustained injuries. Firing was also made.



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 been falsely implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. The specific allegation of overt act is alleged against co-accused Hiranman Yadav. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

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

Considering the aforesaid facts and circumstances of the case and also the lockdown, 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 learned Sub Judge-II-cum-Additional Chief Judicial Magistrate-II, Danapur, Patna in connection with Naubatpur P.S. Case No. 133 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) 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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