

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7529 of 2021

Arising Out of PS. Case No.-151 Year-2020 Thana- KHARHAGPUR District- Munger

1. SAMRENDRA KUMAR @ MUNMUN Son of Genda Lal Mandal Resident of Village - Situhar, P.S.- Kharagpur, Distt.- Munger.
2. Anuwesh Kumar Son of Sachidanand Singh Resident of Village - Situhar, P.S.- Kharagpur, Distt.- Munger.
3. Fitti Sah @ Birendra Kumar Son of Kampany Sah @ Kamladeo Kumar Resident of Village - Singhpur, P.S.- Kharagpur, Distt.- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-08-2021 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 Kharagpur P.S. Case No. 151 of 2020 registered for the offence under Sections 147, 148, 149, 341, 323, 354(B), 307, 506 of the Indian Penal Code.

Allegedly, while the informant along with his family was returning home and in consequence thereof, they reached near



Patel Chowk, all the FIR named accused persons including the petitioners having lathi, danda and iron rod surrounded and assaulted them, as a result of which, the informant and his wife sustained injury.

It has been submitted on behalf of the petitioners that the petitioner No. 2 has 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. 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, 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 Additional



Chief Judicial Magistrate-IV, Munger in connection with Kharagpur P.S. Case No. 151 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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