

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7520 of 2021

Arising Out of PS. Case No.-76 Year-2020 Thana- CHANDAN District- Banka

1. AASHO DEVI Wife of Yugal Tanti Resident of Village - Govindpur, Police Station - Chandan, District - Banka.
2. RAMWATI DEVI Wife of Laddu Tanti Resident of Village - Govindpur, Police Station - Chandan, District - Banka.
3. RAM LAKHAN YADAV Son of Sammar Yadav Resident of Village - Govindpur, Police Station - Chandan, District - Banka.
4. SITA RAM TANTI Son of Yugal Tanti Resident of Village - Govindpur, Police Station - Chandan, District - Banka.
5. BADRI KUMAR TANTI Son of Yugal Tanti Resident of Village - Govindpur, Police Station - Chandan, District - Banka.
6. SHYAMU TANTI Son of Laddu Tanti Resident of Village - Govindpur, Police Station - Chandan, District - Banka.
7. LADDU TANTI Son of Late Tarni Tanti Resident of Village - Govindpur, Police Station - Chandan, District - Banka.
8. SUMIT KUMAR Son of Ram Lakhan Tanti Resident of Village - Govindpur, Police Station - Chandan, District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

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.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner Nos.



3 & 7 as during pendency of this application, they have been taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner Nos. 3 & 7 is dismissed as withdrawn.

The petitioner Nos. 1, 2, 4, 5, 6 & 8 are apprehending their arrest in Chandan P.S. Case No. 76 of 2020 registered under Sections 447, 147, 148, 149, 323, 324, 307, 504, 506, 379, 188, 269 of the Indian Penal Code.

Allegedly, the accused persons broke into house of the informant and thereafter, abused and assaulted him along with his family members causing injury to them. All the accused persons damaged the articles of the informant's house and took out Rs. 10,500/-, gold chain and two pairs of anklet.

It has been submitted on behalf of the petitioner Nos. 1, 2, 4, 5, 6 & 8 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against them. They have been falsely implicated in the present case. General and omnibus allegation has been made against petitioner Nos. 1, 2, 4, 5, 6 & 8. No specific overt act is alleged against the petitioner Nos. 1, 2, 4, 5, 6 & 8. 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. The petitioner Nos. 1 &



2 are ladies.

On behalf of the State, it is submitted that the petitioner Nos. 1, 2, 4, 5, 6 & 8 are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner Nos. 1, 2, 4, 5, 6 & 8, 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 Chief Judicial Magistrate, Banka in connection with Chandan P.S. Case No. 76 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 petitioner Nos. 1, 2, 4, 5, 6 & 8 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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