

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7985 of 2021

Arising Out of PS. Case No.-570 Year-2019 Thana- MINAPUR District- Muzaffarpur

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1. NITESH KUMAR SON OF SURESH PATEL R/O VILLAGE-MADHUBANI, P.S.- MEENAPUR, DIST.- MUZAFFARPUR
 2. VIKASH KUMAR SON OF SURESH PATEL R/O VILLAGE-MADHUBANI, P.S.- MEENAPUR, DIST.- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Meenapur P.S. Case no. 570 of 2019 instituted for the offence under Sections 147, 323, 348, 447, 379, 354 and 376/511 of the Indian Penal Code and section 3/4 of the Dayan Act.

As per allegation in the FIR, when the informant was



at her door, some accused persons including the petitioners armed with various weapons, started abusing her. On protest raised by her, accused Suresh Patel addressed her as Dayan and on his instigation, all the accused persons started to her brutally. They tried to outrage the modesty of daughter-in-law of the informant and snatched a gold pendent. They also poured stool liquid upon the body of the informant.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Neither the petitioners were arrested on spot nor any incriminating article has been recovered from their possession. There is case and counter case and an old civil dispute is also pending between the parties. Only with a view to save the skin from a case lodged by the petitioner against the informant i.e. Meenapur P.S. Case No. 313 of 2019, informant has lodged the present case.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a



period of four weeks from today and in the event of their arrest or surrender in connection with Meenapur P.S. Case no. 570 of 2019, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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