

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11093 of 2021

Arising Out of PS. Case No.-125 Year-2019 Thana- SILAO District- Nalanda

1. AMIT KUMAR Son of Late Lalan Singh Resident of Village - Ghostawan, P.S.- Silao, District - Nalanda.
2. Dinesh Singh Son of Late Balram Singh Resident of Village - Ghostawan, P.S.- Silao, District - Nalanda.
3. Subodh Singh @ Subodh Prasad Sharma Son of Suresh Singh Resident of Village - Ghostawan, P.S.- Silao, District - Nalanda.
4. Mukesh Kumar Son of Late Lalan Singh Resident of Village - Ghostawan, P.S.- Silao, District - Nalanda.
5. Gautam Kumar Son of Vivek Singh Resident of Village - Ghostawan, P.S.- Silao, District - Nalanda.
6. Suresh Singh Son of Late Binda Singh Resident of Village - Ghostawan, P.S.- Silao, District - Nalanda.
7. Ahdil Singh Son of Suresh Singh Resident of Village - Ghostawan, P.S.- Silao, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is directed to remove the
defect(s), as pointed out by the office, within a period of eight
weeks.

Counsel for the petitioners seeks permission to
withdraw the present application on behalf of petitioner Nos.2



and 4, as the petitioner Nos.2 and 4 have been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner Nos.2 and 4 is dismissed as withdrawn.

The petitioner Nos.1, 3, 5, 6 and 7 are apprehending their arrest in connection with Silao P.S. case No.125/2019 registered under Sections 341, 323, 307, 379, 504, 34 of the Indian Penal Code.

Allegation is that the accused persons assaulted the informant's nephew with iron rod, lathi, khanti, due to which he sustained injury and the accused persons also assaulted the informant, due to which he sustained injury.

It has been submitted on behalf of the petitioner Nos.1, 3, 5, 6 and 7 that the petitioner Nos.1, 5 and 7 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos.1, 3, 5, 6 and 7. The petitioner Nos.1, 3, 5, 6 and 7 have falsely been implicated in the present case. General and omnibus allegation has been made. No specific overt act is alleged against the petitioner Nos.1, 3, 5, 6 and 7. The nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out.



On behalf of the State, it is submitted that the petitioner Nos.1, 3, 5, 6 and 7 are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner Nos.1, 3, 5, 6 and 7, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Biharsharif in connection with Silao P.S. case No.125/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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