

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11673 of 2021

Arising Out of PS. Case No.-164 Year-2020 Thana- ISLAMPUR District- Nalanda

1. Sanju Devi Wife Of Ajay Prasad @ Uday Prasad R/O Village- Bhattubigha, P.S.- Islampur, Dist.- Nalanda
2. Ajay Prasad @ Uday Prasad Son Of Satyadeo Yadav R/O Village- Bhattubigha, P.S.- Islampur, Dist.- Nalanda
3. Sandeep Kumar Son Of Ajay Prasad @ Uday Prasad R/O Village- Bhattubigha, P.S.- Islampur, Dist.- Nalanda
4. Satyadeo Yadav Son Of Ramsharan Yadav R/O Village- Bhattubigha, P.S.- Islampur, Dist.- 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 No.4, as the petitioner No.4 has been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner No.4 is



dismissed as withdrawn.

The petitioner Nos.1 to 3 are apprehending their arrest in connection with Islampur P.S. case No.164/20 registered under Sections 341, 323, 504, 379/34 of the Indian Penal Code.

Allegation is that the petitioner No.1 abused the husband of the informant and petitioner No.3 assaulted the informant, due to which she sustained injury on her head and petitioner No.2 assaulted the husband of the informant by lathi, due to which he sustained injury on his head.

It has been submitted on behalf of the petitioner Nos.1 to 3 that the petitioner Nos.1 to 3 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos.1 to 3. The petitioner Nos.1 to 3 have falsely been implicated in the present case. The case has been instituted after two days of the alleged occurrence. It is a case and counter case between the parties. Free fight is alleged to have taken place. The nature of injury is said to be simple. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

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



Considering the facts and circumstances of the case, the petitioner Nos.1 to 3, 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 A.C.J.M. 1st, Hilsa in connection with Islampur P.S. case No.164/20, 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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