

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11173 of 2021**

Arising Out of PS. Case No.-352 Year-2020 Thana- LAXMIPUR District- Jamui

1. Naresh Kumar Das @ Naresh Ravidas, aged about 42 years (Male), Son Of Ganesh Das, R/O Vill.- Mohanpur, P.S.- Laxmipur and Dist.- Jamui.
2. Rabindra Kumar Das @ Ravindra Das, aged about 36 years (Male), Son Of Ganesh Das, R/O Vill.- Mohanpur, P.S.- Laxmipur and Dist.- Jamui.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr. Akash Raj, Advocate.  
For the Opposite Party : Mr. A.G.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      27-07-2021              Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 148, 149, 307, 341, 323, 504 of the I.P.C. and 27 of the Arms Act.

The prosecution story, in brief, is that on 08.09.2020 at about 2.00 P.M., the son of the informant was keeping the Bamboo for the ongoing construction of the house. All the accused persons came there and started abusing. When the son



of the informant told them not to abuse then Naresh Kumar Das (petitioner no. 1) assaulted him by Sword and Ravindra Das (petitioner no. 2) also assaulted him. When the informant tried to save her son then all the named accused persons assaulted her also. The informant some how brought her son inside her house then all the accused persons surrounded her house. They also fired in air. The informant informed her relatives, her husband, son and the police. When the brother of the informant was coming to his house then accused Ravindra Das (petitioner no. 2), Naresh Kumar Das (petitioner no. 1), Rohit Das and other named accused persons assaulted him. Ravindra Das (petitioner no. 2) assaulted the brother of the informant by Sword on his head and others also assaulted him. The informant side was saved by the intervention of the villagers.

It has been submitted by learned counsel for the petitioners that the petitioner no. 1 has got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Both sides are said to have been injured in course of occurrence. Injury on the side of accused persons has



not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let 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 the learned J.M. Ist Class, Jamui, in connection with Laxmipur P.S. Case No. 352/2020, 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) only each 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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