

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13175 of 2021

Arising Out of PS. Case No.-99 Year-2020 Thana- KURSAILA District- Katihar

RAJU MANDAL @ RAJ KUMAR @ RAJU KUMAR Son of Amik Mandal
Resident of Village - Katariya, P.S.- Kursela, District - Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 7454 of 2022

Arising Out of PS. Case No.-99 Year-2020 Thana- KURSAILA District- Katihar

BITTU KUMAR S/o Jaijay Ram Yadav R/o village- Katariya, P.S.- Kursela,
District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 13175 of 2021)

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party : Mr. Umesh Lal Verma, APP

(In CRIMINAL MISCELLANEOUS No. 7454 of 2022)

For the Petitioner/s : Mr.Uday Pratap Singh, Adv.

For the Opposite Party : Mr.Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 08-03-2022 Learned counsel for the petitioners is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned
APP for the State.

The petitioners apprehend their arrest in connection with
Kursela P.S. Case No. 99 of 2020, registered for the offences punishable
under Sections 341, 323, 384, 307, 504, 506/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The informant, Uday Shankar Singh, who is munsif at the site



of Realty Advance Structure Enterprises Pvt. Ltd filed a written report stating therein that when the work of repairing on NH-31 was going on, the accused persons along with 3-4 unknown persons came there and threatened to kill him and also opened firing.

Learned counsels for the petitioners have submitted that the petitioners are innocent and have falsely been implicated.

Learned counsel for the petitioner has submitted that the petitioner, Bittu Kumar, is not named in the FIR and the seizure list has been prepared even before lodging of the FIR which shows that the FIR is after thought.

Considering the above-mentioned facts and circumstances as well as the clean antecedent of the petitioners, let the petitioners, in the event of their arrest or surrender, be released on anticipatory bail within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Kursela P.S. Case No. 99 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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