

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3150 of 2022

Arising Out of PS. Case No.-146 Year-2020 Thana- GUTHANI District- Siwan

1. LALLAN TIWARI @ LALLAN RAI Son of Late Jagarnath Rai Resident of Village - Tarka, P.S.- Guthani, Distt.- Siwan.
2. RAJAN RAI Son of Lallan Rai Resident of Village - Tarka, P.S.- Guthani, Distt.- Siwan.
3. RAJ NARAYAN RAI Son of Lallan Rai Resident of Village - Tarka, P.S.- Guthani, Distt.- Siwan.
4. SHUBH NARAYAN RAI @ RITESH Son of Lallan Rai Resident of Village - Tarka, P.S.- Guthani, Distt.- Siwan.
5. NIRAJ KUMAR RAI @ NIRAJ RAI Son of Rajan Rai Resident of Village - Tarka, P.S.- Guthani, Distt.- Siwan.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 347, 148, 447, 323, 324, 307, 354 & 506/34 of the Indian Penal Code.

It is submitted by learned counsel for the



petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. As a matter of fact both the parties are admittedly pattidar and next door neighbour. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of eight days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case as also the fact that there is delay in lodging the F.I.R., let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Guthani P.S. Case No.146 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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