

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13601 of 2021

Arising Out of PS. Case No.-13 Year-2020 Thana- BIRPUR District- Supaul

1. GIRJANAND KHERWAR Sonof Dhanushdhari Kherwar Resident of Village- Basantpur, Kherwar Tola, P.S.- Birpur, District- Supaul.
2. Krityanand Kherwar Son of Dhanushdhari Kherwar Resident of Village- Basantpur, Kherwar Tola, P.S.- Birpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-02-2022 Heard learned counsel for the petitioners and the State.

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

The petitioners are apprehending their arrest in Birpur P.S. Case No. 13 of 2020 registered for the offence under Sections 147, 149, 323, 341, 307, 379, 324 and 342 of the Indian Penal Code.

Allegation against the petitioner No. 1 is of giving Dabiya blow on the head of husband of the informant whereas petitioner No. 2 is alleged to have given Farsa and Dabiya blow on the head of son of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, 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 furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur, Supaul in connection with Birpur P.S. Case No. 13 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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