

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14983 of 2021

Arising Out of PS. Case No.-294 Year-2020 Thana- SASARAM NAGAR District- Rohtas

1. REKHA DEVI Wife of Pappu Alam @ Pappu Prasad Resident of Mohalla - Nooranganj, P.S. - Sasaram Nagar, District - Rohtas at Sasaram.
2. Akash Kumar Son of Pappu Alam @ Pappu Prasad Resident of Mohalla - Nooranganj, P.S. - Sasaram Nagar, District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

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

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 325, 307, 337, 338, 504 and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons including the petitioners assaulted the informant and others due to which they sustained injuries.

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 falsely been implicated in the present case. The petitioner no. 1 is a lady. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. A petition has been filed by the informant in the Court below in which she has retracted from earlier statement made in the F.I.R. The said petition is Annexure-3 to the present application.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram Nagar P.S. Case No. 294/2020, subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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