

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8170 of 2022**

Arising Out of PS. Case No.-133 Year-2021 Thana- BIRAUL District- Darbhanga

1. Praveen Kha @ Praveen Khan Son of Late Nathuni Kha @ Nathuni Khan R/O Village- Patania (PATANIA Lalpur), P.S.- Biraul, District- Darbhanga
2. Manish Kumar Choudhary @ Manish Choudhary Son Of Kamal Choudhary @ Kamal Narayan Choudhary R/O Village- Patania (PATANIA Lalpur), P.S.- Biraul, District- Darbhanga

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate  
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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

2      28-04-2022                      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 four weeks.

The petitioners are apprehending their arrest in Biraul P.S. Case No. 133 of 2021 registered for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 504 of the Indian Penal Code.

Prosecution case in short is that the informant's son received a phone call by some unknown persons who abused and threatened him of dire consequences. Further case of the prosecution is that the accused persons armed with weapons



came at his door and on the order of one Ram Jha, Rajiv Jha and Sonu Jha wrapped Gamchha and Manish gave lathi blow whereas Praveen Jha and Chandan Jha gave him farsa blow, as a result of which, he sustained injury. Silver chain of the informant is also said to have been snatched away.

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, Darbhanga in connection with Biraul P.S. Case No. 133 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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