

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24965 of 2021

Arising Out of PS. Case No.-39 Year-2020 Thana- DHANKUND District- Banka

1. SHIV NANDAN DAS Son of Late Sahdeo Das Resident of Village - Khaira, P.S.- Dhankund, District - Banka.
2. Niranjan Das Son of Nakul Das Resident of Village - Khaira, P.S.- Dhankund, District - Banka.
3. Bijay Das @ Vijay Das Son of Panchu Das Resident of Village - Khaira, P.S.- Dhankund, District - Banka.
4. Narayan Das Son of Vijay Das Resident of Village - Khaira, P.S.- Dhankund, District - Banka.
5. Narad Das Son of Nakul Das Resident of Village - Khaira, P.S.- Dhankund, District - Banka.
6. Nawal Das @ Newal Das Son of Vijay Das Resident of Village - Khaira, P.S.- Dhankund, District - Banka.
7. Nakul Das Son of Late Panchu Das Resident of Village - Khaira, P.S.- Dhankund, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Adv.
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-01-2022 Heard the parties through virtual court proceedings.

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

The petitioners apprehend their arrest in a case in



connection with Dhankund P.S. Case No.39 of 2020, registered for the offence punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code, 1860.

The allegation against the petitioners is that due to fight between the children, they have assaulted the informant by means of lathi, as a result, informant got injury over right elbow. When informant's sons came to save him, they were also assaulted by the accused persons by means of iron rod.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to enmity as well as local village politics. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is case and counter-case between the parties for the alleged occurrence and both sides have sustained injuries and the injury reports of prosecution side is annexed at Annexure-3 series. Petitioners have no criminal antecedent, as also mentioned in para-3 of the anticipatory bail application.

Learned counsel for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, 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 court below where the case is pending/Successor Court in connection with Dhankund P.S. Case No.39 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

