

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14600 of 2022

Arising Out of PS. Case No.-133 Year-2021 Thana- KUTUMBA District- Aurangabad

1. SONU @ SONU SINGH Son of Awadhesh Singh Resident of Dihri, P.S.- Kutuma, District- Aurangabad.
2. Ravi Kumar @ Ravi Shankar Prasad Son of Birendra Singh Resident of Dihri, P.S.- Kutuma, District- Aurangabad.
3. Birendra Singh Son of Brihaspati Singh Resident of Dihri, P.S.- Kutuma, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

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

After some arguments, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of the petitioner no.2.

Permission is granted.

Accordingly, the prayer for anticipatory bail made



through the instant application, on behalf of the petitioner no.2 is dismissed as withdrawn.

Now, the present application is being heard on the prayer of grant of anticipatory bail of petitioner nos.1 and 3.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341/323/307/34 of the Indian Penal Code.

The allegation against the petitioners is that he along with other accused persons have indiscriminately assaulted the informant 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. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties, in which both sides have sustained injuries and the injuries are simple in nature. One of the injury is grievous in nature. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.



Having regard to the facts and circumstances of the case, since there is case and counter-case between the parties, let the above named petitioner nos.1 and 3, 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 Kutumba P.S. Case No.133/21, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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