

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25908 of 2021

Arising Out of PS. Case No.-715 Year-2016 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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1. DHARMENDRA KUMAR @ DHARMENDRA BAITHA S/O RAM SHANKAR BAITHA R/O VILLAGE-BERAI, P.S-SARAI, DISTRICT-VAISHALI.
 2. PAPPU KUMAR @ PAPPU BAITHA S/O RAMSHANKAR BAITHA R/O VILLAGE-BERAI, P.S-SARAI, DISTRICT-VAISHALI.
 3. BHOLA BAITHA @ RAVINDRA KUMAR S/O RAM SHANKAR BAITHA R/O VILLAGE-BERAI, P.S-SARAI, DISTRICT-VAISHALI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. AMARNATH SINGH @ AMARNATH KUMAR SINGH S/O PRADEEP SINGH VILLAGE-WAJITPUR, P.S-HAJIPUR SADAR, DISTRICT-VAISHALI.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Sinha, Advocate
For the Opposite Party/s : Mr. Shyameshwar Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-01-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defect(s) as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 342, 363, 506, 328, 307, 379 and 504/34 of the Indian Penal Code.



It is a case of assault to the informant by the accused persons.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that after finding that the accused had not been sent up for trial but on protest, the cognizance has been taken by the learned court below, thereafter, impugned order has been passed by the learned court below. It would be mentioned here that earlier the learned Sessions Judge had passed order dated 15.03.2016 but due to fact that petitioner was not sent up for trial and the final form has also been submitted by the investigating officer and the final report has been accepted by the court below and thereafter cognizance has been taken in this case and thereafter, the impugned order has been passed and thereafter this bail petition has been filed by the petitioners. It is also submitted that there is no any person who sustained injury in this case.

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

In the facts and circumstances of the case, let the petitioners, above named in the event of their arrest or surrender before the court below within a period of four 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 ACJM-IX, Vaishali at Hajipur in connection with Complaint Case No. 715 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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