

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17098 of 2022

Arising Out of PS. Case No.-84 Year-2020 Thana- KARPI District- Jehanabad

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1. AMLESH KUMAR Son of Ramcharitra Singh Resident of Village - Belkhara, P.S. - Karpi, District - Arwal.
 2. VIKASH KUMAR Son of Ramcharitra Singh Resident of Village - Belkhara, P.S. - Karpi, District - Arwal.
 3. PRABHAT KUMAR son of Ramcharitra singh Resident of Village - Belkhara, P.S. - Karpi, District - Arwal.
 4. RAMCHARITRA SINGH Son of Late Bindeshwari Singh Resident of Village - Belkhara, P.S. - Karpi, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Adv

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-08-2022 Heard learned counsel for the petitioners and learned APP
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 petitioner no.3 seeks permission to withdraw this application.

Permission is granted.

Accordingly, the instant application for petitioner no.3 is



dismissed as withdrawn.

However, petitioner no.3 is directed to surrender before the learned Court below and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law.

Now, this application is being heard with regard to petitioner nos.1, 2 and 4 only.

Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 341, 323, 307, 504/34 of the Indian Penal Code.

Allegedly, due to dispute of pathway, petitioner no.1 assaulted the son of the informant. On information, his family members came to rescue him then the petitioners assaulted the informant's side by means of various weapons, as a result of which they sustained injuries.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. No such occurrence has taken place but in the background of a dispute in between the parties,



the present case has been filed. There is a case and counter-case between the parties and both sides are agnates. In the alleged occurrence both sides sustained injuries and the injuries are simple in nature. There is no specific overt act against the petitioners. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since there is a case and counter case between the parties and the injuries are simple in nature, let the petitioner nos. 1, 2 and 4 named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 Karpi (Sahar Telpa) P.S Case No.84 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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