

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35650 of 2021

Arising Out of PS. Case No.-664 Year-2020 Thana- LAKHISARAI District- Lakhisarai

1. Shiv Kumar @ Shibu Kumar Son Of Late Ramji Prasad Resident Of Purani Bazar, Bari Dargah, P.. And District- Lakhisarai
2. Dheeraj Kumar Son Of Late Ramji Prasad Resident Of Purani Bazar, Bari Dargah, P.S. And District- Lakhisarai
3. Ashok Kumar Modi Son Of Late Ramji Prasad Resident Of Purani Bazar, Bari Dargah, P.S. And District- Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narsingh Tanti, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Learned Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner No.3, as the petitioner No.3 has been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner No.3 is dismissed as withdrawn.



The petitioner Nos.1 and 2 are apprehending their arrest in a case registered under Sections 341, 323, 337, 307, 379, 504 of the Indian Penal Code.

Prosecution case, in short, is that the accused persons including the petitioner Nos.1 and 2 assaulted the informant and his mother by means of farsa, brick, as a result of which they sustained injuries.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioner Nos.1 and 2. The petitioner Nos.1 and 2 have falsely been implicated in the present case. The present case is counter blast to Annexure 2 to the present application, which was instituted by the petitioners' side against the informant of the present case and others. For oblique reasons, the present case has been instituted. Except for offence under Section 307 I.P.C., rest of the offences are triable by Magistrate.

On behalf of the State, it is submitted that the petitioner Nos.1 and 2 are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner Nos.1 and 2, 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai in connection with Lakhisarai P.S. case No.664 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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