

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30216 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- LALGANJ District- Vaishali

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1. LAXMI SINGH Son of Late Umesh Singh Resident of Village - Panchdamiya, P.S.- Lalganj, District - Vaishali
 2. Munna Singh @ Abhishek Kumar Son of Gonor Singh Resident of Village - Panchdamiya, P.S.- Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manohar Prasad Singh

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioners and
learned APP for the State.

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

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner No. 1 as during pendency of this application, he has been taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner No. 1 is dismissed as withdrawn.



The petitioner No. 2 is apprehending his arrest in Lalganj P.S. Case No. 10 of 2021 registered under Sections 147, 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.

Prosecution case in short is that while the informant's brother was taking dung by his bicycle, his neighbour Suresh Singh began to discuss with Arvind Singh and said to go through his personal route. On protest by Arvind Singh, all the accused persons named in the FIR came there and uprooted the underground pipeline. On protest, accused persons assaulted the informant and his family members by means of sword, farsa etc as a result of which, they sustained injury. Gold chain and cash was also said to have been snatched away.

It has been submitted on behalf of the petitioner that the petitioner No. 2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against him. The petitioner No. 2 has been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner No. 2 is named in the Complaint Case/F.I.R.



Considering the aforesaid facts and circumstances of the case, the petitioner No. 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 10 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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