

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35692 of 2021

Arising Out of PS. Case No.-105 Year-2020 Thana- DHURAIYA District- Banka

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1. SANTOSH KUMAR Son of Jogendra Mandal Resident of Village - Laugai, P.O.- Batsar, P.S.- Dhoraiya, District- Banka.
 2. Dilip Mandal Son of Late Khekhar Mandal Resident of Village - Laugai, P.O.- Batsar, P.S.- Dhoraiya, District- Banka.
 3. Jogendra Mandal Son of Resident of Village - Laugai, P.O.- Batsar, P.S.- Dhoraiya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Das No.2, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-04-2022 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.

Learned counsel for the petitioners seeks permission
of the Court to withdraw the present application in respect of
petitioner nos. 2 and 3 as they have been taken into judicial
custody.

Permission is accorded.

The application is dismissed as withdrawn in respect



of petitioner nos. 2 and 3.

Learned counsel for the petitioner no. 1 submits that inadvertently wrong P.S. case number i.e. Dhoraiya P.S. Case No. 105 of 2021 has been typed in place of Dhoraiya P.S. Case No. 105 of 2020 in the prayer portion of the present anticipatory bail application.

Let the words “Dhoraiya P.S. Case No. 105 of 2021” typed in the prayer portion of present anticipatory bail application be corrected to be read as “Dhoraiya P.S. Case No. 105 of 2020”.

The petitioner no. 1 is apprehending his arrest in a case registered under Sections 341, 324, 326, 354, 379, 504, 506 and 34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons including the petitioner no. 1 assaulted the son of the informant and also misbehaved with the wife of the informant.

It has been submitted on behalf of the petitioner no. 1 that he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 1 The petitioner no. 1 has falsely been implicated in the present case. The nature of injury is said to be simple. The offence is triable by the Magistrate.



On behalf of the State, it is submitted that the petitioner no. 1 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner no. 1, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No. 105 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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