

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31857 of 2021

Arising Out of PS. Case No.-351 Year-2020 Thana- BARHARIA District- Siwan

1. BHIM RAM Son of Late Dharichhan Ram Resident of Village- Pranpur, P.S.- Barharia, District- Siwan.
2. Mukesh Ram Son of Bhim Ram Resident of Village- Pranpur, P.S.- Barharia, District- Siwan.
3. Ramesh Ram @ Ramesh Kumar Ram Son of Bhim Ram Resident of Village- Pranpur, P.S.- Barharia, District- Siwan.
4. Rajan Ram @ Rajan Kumar Son of Bhim Ram Resident of Village- Pranpur, P.S.- Barharia, District- Siwan.
5. Munni Devi Wife of Bhim Ram Resident of Village- Pranpur, P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, Advocate

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.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 323, 324, 307, 504 and 506/34 of
the Indian Penal Code.

The prosecution allegation, in short, is that the



accused persons assaulted the informant and family members due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. Petitioner No. 5 is a lady. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 1st, Siwan in connection with Barharia P.S. Case No. 351/2020, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Sudhir Singh, J)

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