

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23705 of 2022

Arising Out of PS. Case No.-320 Year-2021 Thana- KARAHGAR District- Rohtas

1. AWADHESH KUMAR Son of Lallan Singh Resident of Village - Tenduni Tola, P.s.- Kargahar (Barahari O.P.), Distt.- Rohtas at Sasaram.
2. Dadan Singh Son of Late Ramayan Singh Resident of Village - Tenduni Tola, P.s.- Kargahar (Barahari O.P.), Distt.- Rohtas at Sasaram.
3. Shivjee Singh Son of Late Ram Prasad Singh Resident of Village - Reharei, P.s.- Kargahar (Barahari O.P.), Distt.- Rohtas at Sasaram.
4. Guddu Kumar Son of Yamuna Singh Resident of Village - Tenduni Tola, P.s.- Kargahar (Barahari O.P.), Distt.- Rohtas at Sasaram.
5. Ravi Ranjan Kumar Son of Awadh Bihari Singh Resident of Village - Tenduni Tola, P.s.- Kargahar (Barahari O.P.), Distt.- Rohtas at Sasaram.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 27-07-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State.

At the outset, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition in respect of petitioner Nos. 1 and 4 as they have been arrested during pendency of the bail petition and prayer for anticipatory bail of



the petitioner No. 2 has already been withdrawn.

In view of the aforesaid submission, the anticipatory bail petition in respect of petitioner Nos. 1 and 4 is dismissed as withdrawn.

The petitioner Nos. 3 and 5 apprehend their arrest in connection with Kargahar (Barhari O.P.) P.S. Case No. 320 of 2021, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 347, 348, 307, 504, 506, 325 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation, due to previous enmity all twelve named accused persons came to the house of the informant and started assaulting him. Specific allegation against petitioner No. 1 is that he assaulted Chandan Kumar and petitioner No 2 assaulted Guddu Kumar with *lathi*.

Learned counsel for the petitioner has submitted that all the injuries are simple. It is evident in the FIR that there is previous dispute between the parties and the petitioners are the persons of clean antecedents.

Considering the fact that there is no specific allegation against petitioner Nos. 3 and 5 and they are the persons of clean antecedents, let them, in the event of their arrest or surrender within four weeks before the learned court below, 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 J.M.,Sasaram Rohtas in connection with Kargahar (Barahari O.P.) P.S. Case No. 320 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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