

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23087 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- SIRDALA District- Nawada

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1. GITA DEVI WIFE OF VIJAY MISTRI R/O VILLAGE- PATHRA, P.S.- SIRDALA, DISTRICT- NAWADA
 2. ANAND KUMAR SON OF VIJAY MISTRI R/O VILLAGE- PATHRA, P.S.- SIRDALA, DISTRICT- NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 11-10-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner no.1 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.1.

In view of the aforesaid submission, the application is dismissed as withdrawn as having become **infructuous as against petitioner no.1.**

Petitioner no. 2 apprehends his arrest for the offences alleged under Sections 341, 323, 504, 506, 379, 354, 307 and 34 of the Indian Penal Code, registered in connection with Sirdala (Meskaur) P.S.Case No. 258 of 2021.

Learned counsel for the petitioners has submitted that the allegation against petitioner no.2 is that he assaulted Sagar Kumar and Ram Sharan Mistry and in paragraph no.12 of the anticipatory bail petition it has been mentioned that those



injuries are simple in nature, caused by hard and blunt substance. He has submitted further that petitioner no.2 is a person of clean antecedent. There is case and counter case.

Considering the above facts and circumstances, let petitioner no.2 above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 6th-cum-Special Judge (POCSO Act), Nawada in connection with Sirdala (Meskaur) P.S.Caswe No. 258 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

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

(Nawneet Kumar Pandey, J)

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