

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32613 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- DARIYAPUR District- Saran

1. SINDHU KUMARI @ SINDHI KUMARI D/O Harendra Kumar Rai Resident Of Village - Bajahiyan, P.S.- Dariyapur, Distt.- Saran.
2. Anup Kumar Son of Harendra Kumar Rai Resident of Village - Bajahiyan, P.S.- Dariyapur, Distt.- Saran.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Mr. Awadhendra Kumar
Mr. Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 31-03-2022 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 the learned APP for the State.

The petitioners apprehend their arrest in connection with Dariyapur P.S. Case No. 157 of 2020, registered for the offences punishable under Sections 147, 148, 149, 504, 308, 323, 379 & 506 of the Indian Penal Code.

As per allegation, seven accused persons named in the FIR assaulted the family members of the informant including the informant. It has been alleged that co-accused Sanoj Kumar



assaulted the informant with *lathi* and co-accused Sheelanath Rai caught hold the brother of the informant Kunal Kumar to which Manti Lal Rai strangled his throat. The mother of the informant was also assaulted by the accused persons and they snatched ornaments from her person. The informant was referred to PMCH, Patna from PHC, Dariyapur.

Learned counsel for the petitioners has submitted that both the parties are agnates and there is previous land dispute between them. He has further submitted that there is no specific allegation on the petitioners to assault the informant or his family members. The allegation is general and omnibus.

On the other hand, learned counsel for the informant has submitted that the accused persons badly assaulted and made injured the family members of the informant including the informant himself and the informant was being treated at PMCH, Patna.

Considering the fact that there is no specific allegation against the petitioners, that they assaulted the informant and his family members rather the allegation is general and omnibus as well as considering the clean antecedent of the petitioners, let them, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Dariyapur P.S. Case No. 157 of 2020, 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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