

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31672 of 2021

Arising Out of PS. Case No.-617 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. SUGANDH KUMAR S/o Bali Ray R/o village- Rupchhapra Panchgachiya, P.S.- Sahebganj, Distt.- Muzaffarpur
2. Bali Ray @ Raj Bali Ray S/o Late Harihar Ray R/o village- Rupchhapra Panchgachiya, P.S.- Sahebganj, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP.

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.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner No. 2 as during pendency of this application, he has been taken into judicial custody.

Permission is granted.

Accordingly, this application filed with regard to petitioner No. 2 is dismissed as withdrawn.



The petitioner No. 1 is apprehending his arrest in Sahebganj P.S. Case No. 617 of 2020 registered under Sections 341, 323, 504, 325, 307, 379, 34 of the Indian Penal Code.

Prosecution case in short is that the accused persons followed the informant and his wife with sharp edged weapon (Barchhi) etc. and hit the informant's wife causing her miscarriage. The informant was also assaulted as a result of which, he too sustained injury.

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 been falsely implicated in the present case. The nature of injury is said to be simple. No offence u/S 307 of the Indian Penal Code is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner No. 1 is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner No. 1, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, 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
Additional Chief Judicial Magistrate-Ist, (West)-cum-Sub Judge,
Muzaffarpur in connection with Sahebganj P.S. Case No. 617 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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