

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32624 of 2021**

Arising Out of PS. Case No.-25 Year-2021 Thana- PHULWARIA District- Begusarai

1. VIKASH KUMAR @ VIKRANT KUAMR Son of Late Shankar Chaudhary Resident of Village - Shokhara- 2, P.S.- Phulwaria, Distt.- Begusarai.
2. Shubham Kumar Son of Chotan Chaudhary Resident of Village - Shokhara- 2, P.S.- Phulwaria, Distt.- Begusarai.
3. Chotan Cfhaudhary Son of Kamli Chaudhary Resident of Village - Shokhara- 2, P.S.- Phulwaria, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Braj Bhushan Poddar  
For the Opposite Party/s : Mr. Nand Kumar, APP.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      02-03-2022                      Heard learned counsel for the petitioners and 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. 3 as during pendency of this application, the petitioner has been taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner



No. 3 is dismissed as withdrawn.

The petitioner Nos. 1 & 2 are apprehending their arrest in Phulwaria P.S. Case No. 25 of 2021 registered for the offence under Sections 147, 149, 341, 323, 324, 448, 354(B), 307 of the Indian Penal Code.

Allegedly, the accused persons having armed with weapons, came at the house of informant and asked Anjali Kumari about her maternal grandmother and threatened to withdraw the case filed by her maternal grandmother. The accused persons tried to lift Anjali Kumari but other members in the house came out and in the meanwhile, the members out from home also reached. The accused persons assaulted the granddaughter of the informant as a result of which, she sustained injury. The informant and others were also assaulted.

It has been submitted on behalf of the petitioner Nos. 1 & 2 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against petitioner Nos. 1 & 2. The petitioner Nos. 1 & 2 have been falsely implicated in the present case. No injury is said to have been caused by petitioner Nos. 1 & 2. The petitioner No. 1 had filed an application in Janta Darbar before the police and the present case has been instituted only in retaliation to the application



filed by the petitioner No. 1. The application filed by petitioner No. 1 is Annexure-2 to this application.

On behalf of the State, it is submitted that the petitioner Nos. 1 & 2 are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner Nos. 1 & 2, 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 bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Begusarai in connection with Phulwaria P.S. Case No. 25 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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