

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35785 of 2021

Arising Out of PS. Case No.-77 Year-2020 Thana- MADANPUR District- Aurangabad

1. UDAY RAM @ UDAY KUMAR S/O RAMESHWAR PRASAD @ KARU RAM R/O VILLAGE-NAGMATIYA, P.S-MADANPUR, DISTRICT-AURANGABAD.
2. NIRANJAN PRASAD @ LILI PRASAD @ LILI S/O RAMDAS PRASAD @ RAMDAS RAM R/O VILLAGE-GHATRAIN, P.S-MADANPUR, DISTRICT-AURANGABAD.
3. VIVEK KUMAR S/O NIRANJAN PRASAD @ SAMRUP CHANDRABANSHI R/O VILLAGE-GHATRAIN, P.S-MADANPUR, DISTRICT-AURANGABAD.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amit Anand
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 03-02-2022 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 through video conferencing.

The petitioners apprehend their arrest in connection with Madanpur P.S. Case No. 77 of 2020, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 354(A), 354(B), 504, 453, 380, 307, 427 of the Indian Penal Code.



As per allegation, 19 accused persons named in the FIR along with 50-60 unknown persons came to the house of the informant variously armed with *lathi*, *danda* etc. The accused persons levelled allegation against the informant that the informant party had concealed the nephew of Naresh Bhuiyan in their house. They attempted to enter into the house of the informant and on protest they badly assaulted and dismantled the household articles and took Rs. 20,000/-. Co-accused Amarjeet Kumar and Sonu Kumar also outraged the modesty of the informant.

Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and as per order of Additional Sessions Judge-IXth, Aurangabad dated 14.12.2020, it was argued that the injuries are simple in nature.

He has further submitted that on the similar footing co-accused Bijendra Prasad @ Bijendra Ram has been granted anticipatory bail by this court in Cr. Misc. No. 16212 of 2021 vide order dated 18.01.2022.

Considering the above-mentioned facts and circumstances, let the petitioners be released on anticipatory bail in the event of their arrest or surrender within four weeks before the learned court below 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, Aurangabad in connection with Madanpur P.S. Case No. 77 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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