

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34920 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- SARSI District- Purnia

1. GORAI HEMBRUM @ Lodhwa @ Gosai Hembrum Son of Saryu Hembrum Resident of Village - Budhiya, P.S.- Sarai, District - Purnia.
2. Manoj Hembrum @ Manoj Kumar Hembram Son of - Gorai Hembrum @ Lodhwa @ Gosai Hembrum Resident of Village - Budhiya, P.S.- Sarai, District - Purnia.
3. Sanjay Hembrum @ Sanjay Kumar Hembram Son of- Gorai Hembrum @ Lodhwa @ Gosai Hembrum Resident of Village - Budhiya, P.S.- Sarai, District - Purnia.
4. Surendra Hembrum @ Surendra Kumar Hembrum Son of - Gorai Hembrum @ Lodhwa @ Gosai Hembrum Resident of Village - Budhiya, P.S.- Sarai, District - Purnia.
5. Sada @ Sadanand Hembrum Son of - Gorai Hembrum @ Lodhwa @ Gosai Hembrum Resident of Village - Budhiya, P.S.- Sarai, District - Purnia.
6. Bablu Hembrum Son of - Budharai Hembrum Resident of Village - Budhiya, P.S.- Sarai, District - Purnia.
7. Ajay Hembrum @ Ajay Kumar Hembrum Son of - Bablu Hembrum Resident of Village - Budhiya, P.S.- Sarai, District - Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2022 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.

Learned counsel for the petitioners seeks permission



of the Court to withdraw the present application in respect of petitioner no. 1 as during the pendency of the present application, the petitioner no. 1 died and as such the application has become infructuous in respect of petitioner no. 1.

Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner no. 1.

The petitioner nos. 2 to 7 are apprehending their arrest in a case registered under Sections 147, 148, 149, 323, 324, 307, 385, 379, 427, 504 and 506 of the Indian Penal Code.

The prosecution allegation, in short, is that over a land dispute, the accused persons assaulted the informant and family members due to which they sustained injuries.

It has been submitted on behalf of the petitioner nos. 2 to 7 that there is no allegation of tampering of witnesses alleged against them. The petitioner nos. 2 to 7 have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner nos. 2 to 7. No specific overt act is alleged against the petitioner nos. 2 to 7. Specific allegation of assault is alleged against co-accused Mukesh Hembram.

On behalf of the State, it is submitted that the



petitioner nos. 2 to 7 are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner nos. 2 to 7, above named, in the event of arrest/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 Chief Judicial Magistrate, Purnea in connection with Sarsi P.S. Case No. 04 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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