

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34859 of 2021

Arising Out of PS. Case No.-342 Year-2020 Thana- KRITYANAND NAGAR District-
Purnia

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1. PRADIP SHARMA Son of Late Naina Sharma Resident of Village-Milki Tola, Parora, P.S.- K. Nagar, District-Purnea.
 2. Navin Kumar Pradip Sharma Resident of Village-Milki Tola, Parora, P.S.- K. Nagar, District-Purnea.
 3. Badal Kumar Son of Pradip Sharma Resident of Village-Milki Tola, Parora, P.S.- K. Nagar, District-Purnea.
 4. Deepu Kumari D/o Pradip Sharma Resident of Village-Milki Tola, Parora, P.S.- K. Nagar, District-Purnea.
 5. Kari Devi @ Kahari Devi Wife of Pradip Sharma Resident of Village-Milki Tola, Parora, P.S.- K. Nagar, District-Purnea.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, 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 nos. 1 and 2 as they have been taken into judicial
custody.



Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner nos. 1 and 2.

The petitioner nos. 3 to 5 are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

The prosecution allegation, in short, is that due to land dispute, the accused persons assaulted the husband of the informant as also the informant due to which they sustained injuries.

It has been submitted on behalf of the petitioner nos. 3 to 5 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 3 to 5. The petitioner nos. 3 to 5 have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner nos. 3 to 5. No specific overt act is alleged against the petitioner nos. 3 to 5. The date of occurrence is said to be 8.10.2020 for which case was instituted on 27.10.2020. The delay has not been explained by the prosecution. Petitioner nos. 4 and 5 are ladies.

On behalf of the State, it is submitted that the petitioner nos. 3 to 5 are named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioner nos. 3 to 5, 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 K. Nagar P.S. Case No. 342/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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