

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31446 of 2022

Arising Out of PS. Case No.-307 Year-2021 Thana- ISLAMPUR District- Nalanda

1. RAMBHU CHAUHAN S/o Kedar Chauhan Resident of Village- Dhanpat Bigaha, P.S.- Islampur, District- Nalanda.
2. KEDAR CHAUHAN S/o Late Indradev Chauhan Resident of Village- Dhanpat Bigaha, P.S.- Islampur, District- Nalanda.
3. HEMLAL CHAUHAN S/o Late Ram Briksh Chauhan Resident of Village- Dhanpat Bigaha, P.S.- Islampur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Adv.
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-09-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 379, 307, 34 of the Indian Penal Code.

Allegedly, petitioners are said to have assaulted one Satish Kumar by means of lathi.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to prior enmity. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that in the alleged occurrence, both sides have sustained injuries and there is a case and counter-case between the parties. The injuries are simple in nature. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature and there is case and counter-case between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Islampur P.S. Case No.307 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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