

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31747 of 2022

Arising Out of PS. Case No.-295 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. KUNDAN SINGH @ KUNDAN KUMAR S/o Jot Narayan Singh Resident of Village - Baraharwa, P.S.- Motihari Muffasil, District - East Champaran.
 2. Upendra Singh @ Upendra Kumar Singh Son of Jot Narayan Singh Resident of Village - Baraharwa, P.S.- Motihari Muffasil, District - East Champaran.
 3. Jitendra Kumar S/o Ramadhar Singh Resident of Village - Baraharwa, P.S.- Motihari Muffasil, District - East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. UPENDRA SINGH @ UPENDRA KUMAR SINGH JOT NARAYA SINGH BARAHARWA
3. JITENDRA KUMAR RAMADHAR SINGH BARAHARWA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-09-2022 Heard the parties.

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 section 447, 341, 323, 324, 307, 504, 506/34 of the IPC.

Allegedly, on 12.07.2020, the petitioners alongwith other



accused persons came at the door of the informant with DJ sound band with filthy song, on protest the petitioners assaulted him by means of lathi and danda due to which he sustained injuries.

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 dirty village politics and previous enmity and land dispute. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner no.1 and 2 is not specific rather general and omnibus in nature. The allegation against the petitioner no.3 is to assault the informant by giving gupti blow upon his head but the injury report shows that the injuries are simple in nature. Petitioners have two criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature, 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 Motihari Muffasil P.S. Case No.295 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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