

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33248 of 2022

Arising Out of PS. Case No.-101 Year-2022 Thana- JOKIHAT District- Araria

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1. PAPPU MANDAL Son of Mohan Lal Mandal Resident of Village - and P.S.- Mahalgaon, Ward No.07, Distt.- Araria.
 2. Guddu Mandal Son of Mohan Lal Mandal Resident of Village - and P.S.- Mahalgaon, Ward No.07, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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

At the very out set, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.2, submitting that during pendency of this application petitioner no.2 has been apprehended by the police.

Permission is granted.

Accordingly, this application is dismissed as



withdrawn in respect of petitioner no.2 only.

Now, this application survives only for petitioner no.1.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 324, 307, 506 & 504/34 of the Indian Penal Code.

The petitioner in association of other co-accused is said to have assaulted the informant by means of farsa sustaining injury on his head. Other allegations have also been made.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Both sides have filed cases against each other. The injury sustained by the victim is simple in nature. There is inordinate delay of two days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioner no.1, be released on bail, in



the event of his 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) 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 Jokihat (Mahalgaon) P.S. Case No. 101 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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