

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36510 of 2022

Arising Out of PS. Case No.-134 Year-2020 Thana- DARAUNDA District- Siwan

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1. RAJNISH KUMAR SON OF RAM SAGAR SINGH R/O VILLAGE- RAMA CHAPRA, P.S.- DARAUNDA, DISTRICT- SIWAN
 2. SARITA DEVI WIFE OF ARUN KUMAR SINGH R/O VILLAGE- RAMA CHAPRA, P.S.- DARAUNDA, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.
For the Opposite Party/s : Mrs.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-09-2022 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

Petitioners apprehend their arrest in a case registered for the offence u/s 147, 341, 323, 324, 307, 447, 379, 504 IPC.

Allegedly, all the FIR named accused persons including the petitioners have indiscriminately assaulted the informant's wife and daughter by means of various weapons.

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. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is an admitted land dispute



between the parties and they are agnates. In the alleged occurrence, both sides have sustained injuries and there is a case and counter-case between the parties. It is submitted that the injuries are simple in nature. It is further submitted that there is an inordinate delay of seven days in lodging the F.I.R., which itself creates doubt about the prosecution case. 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 Daraunda P.S. Case No.134 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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