

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36314 of 2022

Arising Out of PS. Case No.-128 Year-2020 Thana- CHANDAN District- Banka

1. Binod Mistry Son Of Sri Bhagwan Mistry Resident Of Village And P.S.- Chandan, District- Banka.
2. Kumod Mistry Son Of Sri Bhagwan Mistry Resident Of Village And Post Chandan, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-11-2022 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 three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 354(B), 504, 506/34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant with leg and also assaulted her husband and son and tried to outrage her modesty.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case due to land dispute. He submits that the petitioners and the informant are close agnates cousin brothers and there is dispute between both family for family partition and share of property. He submits that there is general and omnibus allegation levelled against the petitioners. He further submits that petitioners have one criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Chandan P.S. Case No. 128 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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