

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48266 of 2021

Arising Out of PS. Case No.-152 Year-2021 Thana- GHORASAHAN District- East
Champaran

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1. VINITA KUMARI D/O AWADHESH KUMAR @ AWADHESH KUMAR TIWARI R/o village- Singrahiya, P.S.- Ghorasahan, District- East Champaran
 2. Laxmi Devi W/o Awadhesh Kumar @ Awadhesh Kumar Tiwari R/o village- Singrahiya, P.S.- Ghorasahan, District- East Champaran
 3. Dheeraj Kumar @ Dheeraj Kumar Tiwari S/o Awadhesh Kumar @ Awadhesh Kumar Tiwari R/o village- Singrahiya, P.S.- Ghorasahan, District- East Champaran
 4. Awadhesh Kumar @ Awadhesh Kumar Tiwari S/o Late Raj Mangal Tiwari R/o village- Singrahiya, P.S.- Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-04-2022 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 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.

After some arguments, learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner nos.3 and 4.



Permission is granted.

Accordingly, the instant application is dismissed as withdrawn as against the petitioner nos.3 and 4.

Now the present application is being heard for consideration of anticipatory bail with regard to petitioner nos.1 and 2.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 325, 354, 307, 379, 504, 506, 34 of the Indian Penal Code.

The allegation against the petitioners is of assaulting the informant's side.

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. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties. Petitioners have no criminal antecedent.

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

Having regard to the facts and circumstances of the case,



since there is no specific overt act against the petitioner nos.1 and 2, let the above named petitioner nos.1 and 2, 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 Ghorasahan P.S. Case No.152/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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