

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14033 of 2021

Arising Out of PS. Case No.-139 Year-2020 Thana- DIGHWARA District- Saran

1. Awadhesh Rai Son Of Vishwanath Rai Resident Of Village- Rampur Ami,
P.S- Dighwara, Dist- Saran At Chapra
2. Rakesh Kumar @ Rakesh Rai Son Of Shambhu Rai Resident Of Village-
Rampur Ami, P.S- Dighwara Dist- Saran At Chapra

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 24-02-2022 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in Dighwara P.S. Case No. 139 of 2020 registered for the offence under Sections 341, 323, 324, 307, 504, 34 of the Indian Penal Code.

Allegedly, on 22-05-2020 at 7 p.m. the accused persons having armed with farsa, lathi, sword, brick attacked the informant and his family members.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. The nature of injury is said to be simple. There is



case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Dighwara P.S. Case No. 139 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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