

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41149 of 2022

Arising Out of PS. Case No.-153 Year-2019 Thana- PHULPARAS District- Madhubani

1. BUDHESHWAR KAMAT Son of Mishree Lal Kamat Resident of village- Bharha, P.S- Phulparas, District- Madhubani
2. Hirday Narayan Kamat Son of Sukhdev Kamat Resident of village- Bharha, P.S- Phulparas, District- Madhubani
3. Mishari Lal Kamat Son of Shree Chan Kamat Resident of village- Bharha, P.S- Phulparas, District- Madhubani

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar
For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 308, 379 & 504/34 of the Indian Penal Code.

All the F.I.R. named accused persons including



these petitioners are said to have assaulted the informant by means of kulhari and khanti with an intention to kill him.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Although there is specific allegation against petitioner-Hirday Narayan Kamat, who assaulted the informant by means of fasat of the spade but the injuries are simple in nature. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, 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 Phulparas P.S. Case No.153 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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