

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53183 of 2021

Arising Out of PS. Case No.-287 Year-2021 Thana- MAHUA District- Vaishali

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1. Umesh Ram S/O Late Bulkan Ram R/O Village-Jalalpur Gangti, P.S-Mahua, District-Vaishali.
 2. Munshi Ram S/O Late Bulkan Ram R/O Village-Jalalpur Gangti, P.S-Mahua, District-Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2022 Learned counsel for the petitioners submits that the petitioner no. 1 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 1.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no. 1.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State for consideration of bail with regard to rest of the petitioner.

Learned counsel for the petitioner 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 petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 354, 379, 427, 504 of the Indian Penal Code and Section 3/4 of the Dian Act.

Petitioner is said to have assaulted the wife of the informant with fist and also by means of danda and iron rod resultantly informant's wife became unconscious.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case due to land dispute. He submits that occurrence took place on 12.05.2021 but FIR has been lodged on 18.05.2021 without explaining any reason. He submits that there is case and counter case between the parties. Injury found upon the victim is simple in nature. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts that there is delay in filing the FIR, let the above named petitioner in the event of his 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) 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 Mahua P.S. Case No. 287 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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