

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55228 of 2021

Arising Out of PS. Case No.-423 Year-2021 Thana- KHAJANCHI HAT District- Purnia

1. Rohan Singh Son Of Vijay Prasad Singh Resident Of Ram Nagar, P.S.- K. Hat (MARANGA), District- Purnea
2. Sri Niwas Singh @ Niwas Prasad Singh Son Of Mandaresar Prasad Singh Resident Of Ram Nagar, P.S.- K. Hat (MARANGA), District- Purnea
3. Kundan Singh @ Kundan Kumar Son Of Sri Niwas Singh Resident Of Ram Nagar, P.S.- K. Hat (MARANGA), District- Purnea
4. Bittu Singh Son Of Sri Niwas Singh Resident Of Ram Nagar, P.S.- K. Hat (MARANGA), District- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-06-2022 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, 307, 504 and 34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant by means of lathi-danda.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the injury nos. 3 and 4 are found to be grievous in nature.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with K. Hat (Maranga) P.S. Case No. 423 of 2021.

However, if the petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the same shall be considered by the learned court below in accordance with law considering the fact that there is no specific overt act against the petitioners.

(Anjani Kumar Sharan, J)

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