

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56599 of 2021

Arising Out of PS. Case No.-216 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Daroga Singh Son Of Late Lalji Singh R/O Village- Kekadha, P.S.- Mohania, Dist.- Kaimur At Bhabua
2. Rabindra Singh Son Of Daroga Singh R/O Village- Kekadha, P.S.- Mohania, Dist.- Kaimur At Bhabua
3. Dharmendra Singh Son Of Daroga Singh R/O Village- Kekadha, P.S.- Mohania, Dist.- Kaimur At Bhabua
4. Mithun Singh Son Of Daroga Singh R/O Village- Kekadha, P.S.- Mohania, Dist.- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 11-07-2022 Learned counsel for the petitioners has filed the supplementary affidavit today in the Court.

Let it be kept on record.

Learned counsel for the petitioners submits that the petitioner no. 3 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 3

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no. 3.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State for consideration of bail



with regard to rest of the petitioners.

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, 504, 506, 307, 34 of the Indian Penal Code.

Petitioners are said to have assaulted by the husband, son and nephew of the informant by means of Garasa, axe and lathi.

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 general and omnibus allegation levelled against the petitioners. He submits that there is case and counter case between the parties and both sides have sustained injury. Petitioner no. 1 is the order giver whereas petitioner no. 4 assaulted the nephew of the informant by means of lathi. He submits that no injury has been found upon the victim. He submits that the similarly situated co-accused has already been granted bail by this Court vide order dated 23.06.2022 passed in Cr. Misc. No. 53912 of 2021. 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.

Considering the fact that there is case and counter case between the parties, let the above named petitioners in the event of their 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) 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 Mohania P.S. Case No. 216 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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