

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57542 of 2021

Arising Out of PS. Case No.-340 Year-2021 Thana- MADHEPURA District- Madhepura

1. KANCHAN DEVI W/o KAMLESH MODI R/o VILLAGE-SUKHASHAN CHAKLA, WARD No.10, P.S. AND DISTRICT-MADHEPURA.
2. RUPAK KUMAR @ ROOPAK KUMAR S/o KAMLESH MODI R/o VILLAGE-SUKHASHAN CHAKLA, WARD No.10, P.S. AND DISTRICT-MADHEPURA.
3. NITISH KUMAR S/o KAMLESH MODI R/o VILLAGE-SUKHASHAN CHAKLA, WARD No.10, P.S. AND DISTRICT-MADHEPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, APP

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 four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 327, 307, 379, 504, 34 of the Indian Penal Code.

The allegation against the petitioners is that they along



with other accused persons have indiscriminately assaulted the informant lathi, iron rod and by throwing chilli powder in his eyes, due to which the informant got severely injured.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Kamlesh Modi who assaulted the informant by means of iron rod. It is submitted that petitioners and informant are own brothers and there is an admitted land dispute between the parties. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, 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 Madhepura P.S. Case No.340 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

