

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10172 of 2021

Arising Out of PS. Case No.-61 Year-2020 Thana- SIDHWALIYA District- Gopalganj

1. LALU PRASAD, Son of Lallan Prasad R/o Village- Balra, P.S.- Sidhwaliya, District- Gopalganj.
2. Lavkush Prasad Son of Birendra Prasad R/o Village- Balra, P.S.- Sidhwaliya, District- Gopalganj.
3. Pawan Kumar Son of Birendra Prasad R/o Village- Balra, P.S.- Sidhwaliya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Prasad
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-02-2022 Heard Devendra Kumar, learned counsel for the petitioner and Mr. Uday Pratap Singh, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Sidhwalia P. S. Case No. 61 of 2020, instituted for the offences under Sections 341, 323, 324, 325, 307, 504, 506 and 34 of the Indian Penal Code.

Petitioner nos. 1 and 3 along with others are said to have assaulted the victims of this case. Some of them have received grievous injuries. There is no specific



accusation against the petitioner no. 2.

The learned advocate for the petitioners has submitted that there is a counter version of the occurrence and the parties are agnates.

Be that as it may, regard being had to the fact that the petitioner nos. 1 and 3 have taken part in the assault, leading to injuries on some of the victims, I am not inclined to grant anticipatory bail to them.

The prayer for anticipatory bail of petitioner nos. 1 and 3 is rejected.

However, if they surrender before the court below and seek bail, that shall be considered on its own merits, without being prejudiced by the fact that the present petition on their behalf has not been entertained by this Court.

The petitioner no. 2 is not attributed with any specific overt act.

Considering this aspect of the matter and taking into account his clean antecedents, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from



the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Ms. Sobhana Tripathi, Judicial Magistrate 1st Class, D,- Gopalganj, in connection with Sidhwalia P. S. Case No. 61 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands disposed off.

(Ashutosh Kumar, J)

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