

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65038 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- SAHIYARA District- Sitamarhi

1. CHHOTU KUMAR S/o Abhiram Singh R/o Village - Sahpur Shitalpatti, P.S. - Sahiyara, Dist. - Sitamarhi.
2. CHANDAN KUMAR S/o Devendar Kumar Singh R/o Village - Sahpur Shitalpatti, P.S. - Sahiyara, Dist. - Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 21-07-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Sahiyara P.S. Case No. 57 of 2021, registered for the offences punishable under Sections 341, 323, 324, 354, 379, 504, 506/34, 307 of the Indian Penal Code.

As per allegation, thirteen accused persons named in the FIR badly assaulted the members of the prosecution side. The specific allegation against petitioner No. 1 is that he inflicted deadly sword blow on the head of the informant's husband and petitioner No. 2 assaulted Nitesh Kumar Singh, son of the informant, with



sword, knife etc.

Learned counsel for the petitioners has submitted that the petitioners are the persons of clean antecedents. There is case and counter case.

Petitioner No. 1 Chhotu Kumar, inflicted deadly sword blow on the head of Sanjay Kumar, the husband of the informant due to which he sustained grievous injuries on his head. As such, petitioner No. 1 does not deserve the benefit of anticipatory bail. Accordingly, his prayer for anticipatory bail is **rejected**.

Nitesh Kumar, to whom there is allegation to cause injuries by the hands of petitioner No. 2, has sustained injuries which is simple in nature, as such, let the petitioner No. 2, in the event of his arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sitamarhi in connection with Sahiyara P.S. Case No. 57 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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