

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69173 of 2021

Arising Out of PS. Case No.-8 Year-2020 Thana- KUMAR KHAND District- Madhepura

1. Prasanjit Kumar, Son of Tarun Yadav,
 2. Anokha Devi, Wife of Tarun Yadav
- Both are resident of Village - Sukhashan, Ward No.- 3, P.S.- Kumarkhand,
O.P.- Belari, District - Madherpua.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 07-07-2022 This application has been listed under the heading
‘For Orders’.

Registry has pointed out several defects in the
present application.

Mr. Ashwani Kumar Tiwary, learned counsel for
the petitioners submitted that the defects are mainly because
only e-filing of applications are permitted by the Court. He
submitted that defects can be removed only if filing of hard
copy is permitted. He undertook that even if the applications are
heard and disposed of on merit in due course of time when the
Court would permit filing of hard copy, the defects pointed out
by the registry would be removed.



In view of the above submissions made by the learned counsel for the petitioners, with consent of the parties, the application has been taken up for hearing on merit.

The petitioners seek pre-arrest bail in connection with Kumarkhand P.S. Case No.8 of 2020 registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 506 read with 34 of the Indian Penal Code.

Considering that there is specific allegation against petitioner no.1 Prasanjit Kumar that he assaulted the son of the informant Satyam Kumar with an iron rod on his head causing fracture injury, I am not inclined to grant him pre-arrest bail. His prayer for grant of pre-arrest bail is rejected.

In case, he surrenders and seeks bail, the same shall be considered on its own merit without being prejudiced in any manner by order of this Court.

In so far as petitioner no.2 Anokha Devi is concerned, since there is no direct and specific allegation against her in the first information report, she is directed to be released on bail in the event of her arrest or surrender in the court below on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-



IV, Madhepura in connection with Kumarkhand P.S. Case No.8
of 2020 subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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