

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10265 of 2023

Arising Out of PS. Case No.-438 Year-2020 Thana- TARAIYA District- Saran

1. LAV KUMAR @ LOW KUMAR Son of Chandeshwar Singh R/V- Sareya Ratnakar, P.S- Taraiya Dist- Saran. At present residing at village- Sareya Basant, P.s- Taraiya , Dist- Saran
2. Lilawati Devi Wife of Chandeshwar Singh R/V- Sareya Ratnakar, P.S- Taraiya Dist- Saran. At present residing at village- Sareya Basant, P.s- Taraiya , Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh
For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 & 506/34 of the Indian Penal Code.

The allegation against the petitioner is that of assaulting the informant and his brother due to which they sustained injuries.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather



general and omnibus in nature. Both the parties are close agnates and there is admitted property dispute between the parties. Both sides have filed cases against each other. The injury sustained by the victim is simple in nature. There is inordinate and abnormal delay of nine days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. Petitioner no.1 has one criminal antecedent, whereas petitioner no.2 has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, 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 lower Court where the case is pending/successor Court in connection with Taraiya P.S. Case No.438 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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