

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26755 of 2022

Arising Out of PS. Case No.-87 Year-2021 Thana- BISFI District- Madhubani

1. SOGARATH THAKUR @ RAMSOGARATH THAKUR AND ANOTHER SON OF LATE DUKHAN THAKUR RESIDENT OF VILLAGE- BELAUNJA, P.S.- BISFI, (PATAUNA), DISTRICT MADHUBANI
2. KESHAV KUMAR THAKUR SON OF SOGARATH THAKUR @ RAM SOGARATH THAKUR RESIDENT OF VILLAGE- BELAUNJA, P.S.- BISFI,(PUTAUNA) DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Miss Kusum Rani
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

6 23-01-2023 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 Bisfi (Patauna) P.S. Case No. 87 of 2021, registered for the offences punishable under Sections 379, 354, 504, 506/34 of the Indian Penal Code.

As per allegation, when the informant prohibited the petitioners and other accused persons from dropping the rain water in her courtyard, they badly assaulted her. Petitioner no. 1 assaulted her mother-in-law, who sustained injuries.

The learned counsel for the petitioners has submitted



that petitioners are innocent and have falsely been implicated in this case. He has submitted further that injuries are simple in nature. He has also submitted that he has rectified the defects mentioned in paragraph no. 3 by filing a supplementary affidavit, disclosing antecedents of the petitioners.

On the other hand, the learned APP and the learned counsel for the informant have opposed the prayer for bail and submitted that the petitioners have been granted benefit of Section 41 A of the Cr.P.C. As such, there is no apprehension of their arrest and the anticipatory bail petition is not maintainable.

The petitioners are directed to surrender before the court below and make a prayer for regular bail. If they surrender within a period of four weeks, their anticipatory bail petition shall be disposed of on the same day, without being prejudiced by this order.

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

(Nawneet Kumar Pandey, J)

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