

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 43042 of 2023

Arising Out of PS. Case No.-168 Year-2022 Thana- PRANPUR District- Katihar

1. HAKRAN PARIHAR Son of Late Nitay Parihar R/o Village - Ramchandrapur, P.S.- Pranpur, District - Katihar.
2. Bhola Parihar Son of Late Kanhai Parihar R/o Village - Ramchandrapur, P.S.- Pranpur, District - Katihar.
3. Kishan Parihar @ Kishan Kumar Parihar Son of Bhola Parihar R/o Village - Ramchandrapur, P.S.- Pranpur, District - Katihar.
4. Ajay Parihar Son of Bhola Parihar R/o Village - Ramchandrapur, P.S.- Pranpur, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Bal Krishna Mishra, Advocate
For the State	:	Mr Sanjay Kumar Tiwary, APP
For the Informant	:	M/s Sanjeev Kr Singh, Neha Rani, Advocates

CORAM: HONOURABLE MR JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners, informant and the learned APP for the State.

2 Learned counsel for the petitioners submits that petitioner No 1 Hakran Parihar and petitioner No 2 Bhola Parihar have already been arrested. Accordingly, he seeks permission to withdraw this petition filed on their behalf. Permission is accorded.

3 This application is dismissed as withdrawn so far as petitioner No 1 Hakran Parihar and petitioner No 2 Bhola Parihar are concerned.



4 The petitioner No 3 Kishan Parihar @ Kishan Kumar Parihar and petitioner No 4 Ajay Parihar apprehend their arrest in connection with Prampur PS Case No 168 of 2022 dated 03.08.2022 instituted under Sections 341, 323, 324, 307, 379, 506/34 of the Indian Penal Code.

5 As per the prosecution case, the allegation is that accused persons assaulted the husband of the informant.

6 Learned counsel for petitioner No 3 Kishan Parihar @ Kishan Kumar Parihar and petitioner No 4 Ajay Parihar submits that there is no specific allegation against petitioner No 3 and allegation against petitioner No 4 is that he assaulted by lathi on the back of the injured which is not corroborated by the injury report of the husband of the informant. The informant is not the eye witness and the case has not been lodged by the victim and the FIR has also been lodged after delay of 3 days. The allegation of assault on husband of the informant is against co-accused Amit Kumar Parihar who is not the petitioner herein. There is one criminal antecedent against the petitioners which was lodged from the side of the informant.

7 Learned counsel for the informant and the learned APP oppose the prayer for anticipatory bail.

8 Considering the facts and circumstances of the case



and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner No 3 Kishan Parihar @ Kishan Kumar Parihar and petitioner No 4 Ajay Parihar be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate I, Katihar in connection with Pranpur PS Case No 168 of 2022, subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

M.E.H./-

U		T	
---	--	---	--

