

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 22482 of 2016

Arising out of P.S. Case No. - 23 Year - 2016 Thana - KOTWALI District - PATNA

SANJEET KUMAR SINGH @ SANJEET KUMAR SINGH, S/o
Chandeshwar Prasad Singh, C/o - Satya Prakash Yadav, R/o Mohalla -
Shastri Nagar near J.D. Women's College, P.S. - Shastri Nagar, Distt. -
Patna, permanent resident of village - Ladma, P.S. - Barh, District - Patna
.... Petitioner

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No. 22854 of 2016

Arising out of P.S. Case No. - 23 Year - 2016 Thana - KOTWALI District - PATNA

Lalan Kumar @ Lalan Singh, S/o Nageshwar Prasad Singh, Resident of
Village - Ladma, P.O. Ladma, P.S. Barh, Distt. - Patna
.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance:

(In Cr. Misc. No. 22482 of 2016)

For the Petitioner : Mr. Vijay Kumar Sinha, Advocate
Mr. S. K. Bhatnagar, Advocate

For the Opposite Party : Mr. Anant Kumar, A.P.P.

For the Informant : Mr. Amar Jyoti Sharma, (In Person)

(In Cr. Misc. No. 22854 of 2016)

For the Petitioner : Mr. Vijay Kumar Sinha, Advocate
Mr. S. K. Bhatnagar, Advocate

For the Opposite Party : Mr. Lalan Kumar, A.P.P.

For the Informant : Mr. Amar Jyoti Sharma, (In Person)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

8 08-09-2016

Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State. The
informant is also present in person.

The present petitioners are apprehending their arrest in
connection with Kotwali P.S. Case No. 23 of 2016 registered for the
offences punishable under Sections 147, 149, 452, 379, 387 and

120B of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits, that save and except the allegation that the informant heard the names of these two petitioners at the time of occurrence and these petitioners happen to be the henchmen of a person in political power, there is no further material either in the First Information Report or in the case diary to implicate the present petitioners. It is further submitted by learned counsel for the petitioners that their names have been roped in, only for the aforementioned reasons and not otherwise. Even if at all their presence at the place of occurrence can be said to have been determined, yet no specific role has been assigned to them during the entire occurrence and even in the case diary no further cogent material has come against them.

Informant, however, seriously, contests the prayer of anticipatory bail filed by these two petitioners and submits that so far as petitioner in Cr. Misc. No. 22482 of 2016 is concerned, the informant, as an Advocate, had been opposing his bail application in the learned court below and the informant recognized him at the place of occurrence. However, on referring back to the First Information Report the name of the petitioner appears to have been given by the informant himself as having heard from the other persons present at the place of occurrence and not otherwise. The allegation against petitioner in Cr. Misc. No. 22854 of 2016 is also

similar in nature and the only difference is that the informant admits that the name of the said Lalan Kumar @ Lalan Singh had come in the conversation of other co-accused persons present there.

Having heard learned counsel for the parties and after hearing learned counsel for the State, it appears that save and except, the allegations made in the First Information Report there is no further cogent material in the case diary so as to implicate these petitioners.

Accordingly, let the petitioners, Sanjeet Kumar Singh in Cr. Misc. No. 22482 of 2016 and Lalan Kumar @ Lalan Singh in Cr. Misc. No. 22854, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, be directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 23 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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