

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25454 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -MAUZAHDIPUR District- BHAGALPUR

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1. Kunal Kumar Singh alias Kunal Singh, son of Vijay Singh, resident of Mohalla Kalabganj, P.S. Mohaidpur, District Bhagalpur
 2. Rahul Ranjan Singh alias Monty alias Rahul, son of Yogendra Prasad Singh, resident of Mohalla Sikandarpur, P.S. Mohaidpur, District Bhagalpur
 3. Shivi, son of Anil Bihari, resident of Mohalla Shivpuri Colony, P.S. Ishachak, District Bhagalpur
 4. Shekhar Kumar Singh alias Shekhar, son of Nebi Mandal, resident of Mohalla Sikandarpur, P.S. Mohaidpur, District Bhagalpur
 5. Ashutosh Kumar Singh alias Ashutosh Singh, son of Sant Kumar Singh, resident of Village Koiri Tola, Nayachak, Railway Colony, P.S. Mojahidpur, District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 10-08-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek anticipatory bail in a case instituted for the offences under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

One Anish Kumar Singh has lodged a written complaint to the Officer In-charge, Mojahidpur stating therein that while he was sitting along with his friend Ujwal Anand in side Railway Committee hall. On the mobile of his friend a phone came of Kunal Singh who enquired whereabouts of Ujwal



Anand whereupon he has given reply that he is sitting in the committee hall. Thereafter accused persons came, surrounded the informant and assaulted him with Belt and Hockey due to which he sustained injuries.

Learned counsel for the petitioner submits as per First Information Report and other materials, petitioner no.5, Ashutosh Kumar Singh alias Ashutosh Singh was not participant of the alleged occurrence but it has been mentioned that he is instrumental.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioner, namely, Ashutosh Kumar Singh alias Ashutosh Singh, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur P.S. Case No.44 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far petitioner nos. 1 to 4, namely. Kunal Kumar Singh alias Kunal Singh, Rahul Ranjan Singh alias Monty alias Rahul, Shivi and Shekhar Kumar Singh alias Shekhar are concerned, this Court is not inclined to enlarge them on



anticipatory bail. Accordingly their prayer for bail is rejected. However, if the petitioners surrender before the court below within a period of four weeks from today, the court below will pass an order on its own merit without being prejudiced by the order passed by this Court.

Vinay/-

(Shivaji Pandey, J)

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