

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48962 of 2017**

Arising Out of PS.Case No. -20 Year- 2017 Thana -RAMNAGAR District-  
WESTCHAMPARAN(BETTIAH)

- =====
1. Imam Hussain, S/o Tufani Khan,
  2. Shyam Sunder Singh, Son of Gauri Shankar Singh, Both R/o Village-  
Pipra, P.S.- Ramnagar, District- West Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Suresh Prasad Sharma

For the Opposite Party/s : Mr. Arun Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
**ORAL ORDER**

4      12-12-2017                      The learned counsel for the petitioners seeks  
  
permission to withdraw prayer of pre-arrest bail of petitioner no.1,  
  
namely, Imam Hussain as he has been arrested.

Permission is granted. Accordingly, prayer for pre-  
arrest bail of petitioner no.1 is dismissed as withdrawn.

Heard the learned counsel for the petitioner as well as  
the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner  
no.2, namely, Shyam Sunder Singh apprehends his arrest in  
connection with Ramnagar P.S. Case No. 20 of 2017 for the  
offences punishable under sections 341, 323, 324, 325, 379, 307  
and 504/34 of the I.P.C.



Allegedly, the petitioner and other co-accused prohibited the informant and her husband for loading cattle's dung and they assaulted them and when sons and daughters of the informant came there they were also assaulted and when the informant was going to the police station in the way they were assaulted again by them.

Submission is of false implication and that against petitioner no.2, Shyam Sunder Singh, there is no specific allegation for committing any overtact, the allegations are omnibus and general in nature, due to enmity and dirty village politics the petitioner has been implicated, the petitioner is the co-villager and the offences are bailable except section 307 of the I.P.C which is not attracted against the petitioner.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances stated above, considering that there is no specific allegation against petitioner no. 2, namely, Shyam Sunder Singh, and as such he, in case of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M,



Bagaha, West Champaran in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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