

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45897 of 2018

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1. Rupesh Kumar Singh @ Rupesh Singh, S/o Arjun Pd. Singh
2. Santosh Singh, S/o Arjun Prasad Singh, Both resident of Village- Kathel,
Police Station- Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Amarpur
P.S. Case No. 224/2018, instituted for the offences punishable
under Sections 341, 323, 307 and 504/34 of the Indian Penal
Code.

In the written report, it is alleged that petitioner no. 1
assaulted the son of informant with iron rod with intention to kill
causing him injury. Injury report has been enclosed as Annexure-2
which shows that he has sustained two injuries on his head and was
referred to J.L.N.M.C.H., BGP for X-ray, C.T. Scan.

Considering the specific allegation against petitioner no.
1, this Court is not inclined to grant anticipatory bail to Petitioner No.
1, Rupesh Kumar Singh @ Rupesh Singh. Accordingly, his prayer for



anticipatory bail is rejected.

So far as Petitioner No. 2 is concerned, there is no allegation of specific overt act against him.

The prayer for anticipatory bail of petitioner no. 2 is allowed. In the event of surrender/arrest of petitioner no. 2, named above, within six weeks from today, in connection with Amarpur P.S. Case No. 224/2018, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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