

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52124 of 2018

Arising Out of PS. Case No.-136 Year-2018 Thana- DIGHWARA District- Saran

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1. Bablu Singh, S/o Laxmeshwar Singh,
 2. Santosh Singh S/o Laxmeshwar Singh, Both are R/o vill.- Basti Jalah, P.S.- Dighwara, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baxi S.R.P. Sinha, Sr. Advocate
Mr. Abhijeet Gautam

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-09-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dighwara P.S. Case No. 136 of 2018, disclosing offences under Sections 341, 323, 32, 307/34 of the Indian Penal Code.

Allegedly, the accused persons surrounded the informant and allegedly co-accused Lucky Singh had assaulted Ujjawal Kumar on his head, causing injury. There is allegation against one Sudhir Singh, who had opened fire with a country made gun. It is alleged that these petitioners were assaulting Kunal Singh.

Learned senior counsel, appearing on behalf of the petitioners, has submitted that co-accused Sudhir Singh has



been granted anticipatory bail by the court below by order dated 06.09.2018 passed in A.B.P. No. 2996 of 2018. It has also been submitted that this case is a counterblast to the earlier case lodged by Lucky Singh (co-accused in the present case), registered for the offences punishable under various Sections of the I.P.C. including Section 307 of the Indian Penal Code. Since the victim in that case succumbed to the injuries, Section 302 of the I.P.C. has been added in the case lodged by Lucky Kumar Singh i.e. Dighwara P.S. Case No. 135 of 2018.

Considering the facts and circumstances and the fact that there is a case and counter case for the same occurrence, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned S.K. Singh, Judicial Magistrate, 1st Class, Saran, in connection with Dighwara P.S. Case No. 136 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before Police/Court, as the case may



be, as and when required and in the event of failure on their part
to appear before the Court on two consecutive occasions, their
bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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