

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40090 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- CHAKAI District- Jamui

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1. Gobardhan Singh, Son of Dublal Singh,
 2. Digambar Singh, Son of Titu Singh,
 3. Ramdeo Singh, Son of Late Akhileshwari Singh,
 4. Shyamsundar Singh, Son of Akhileshwari Singh,
 5. Kundan Singh Son of Ramdeo Singh, All resident of Village-
Gosai Dih Chakai, P.S.- Chakai, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-07-2018 Heard learned counsel for the petitioners, learned APP for the
State and learned counsel for the informant.

Petitioners apprehend their arrest in Chakai P.S. Case No. 34
of 2018 instituted for the offence under Sections 147, 148, 149, 341,
323, 325, 307 and 379 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that instant
case is counter blast of Chakai P.S. Case No. 32 of 2018 lodged by
one of accused Gobardhan Singh (petitioner no.1). It is further
submitted that the occurrence had taken place due to erection of the
electric pole.

In the instant case, it is alleged that total 25 persons named in
the written report armed with deadly weapon entered into the house



of the informant and assaulted the informant and his other family members.

The case diary has been received.

The learned counsel for the informant has submitted that total six persons have sustained injury out of which one of the injury of three persons namely Ranjeet Singh, Mantu and Pandu Singh were found to be grievous in nature.

Learned counsel for the petitioners has submitted that co-accused of this case have already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 12.07.2018 passed in Cr. Misc No. 40478 of 2018.

This court from perusal of the written reports finds that there is not specific allegation attributed to any of the accused of assaulting the informant and other family members. The allegation is that 20-25 persons entered into the house of the informant and assaulted the informant and his other family members.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Chakai P.S. case no. 34 of 2018, they shall be released on anticipatory 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 ACJM-IIIrd Jamui, subject to



the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners 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 petitioners.

(Sanjay Priya, J)

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