

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62814 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -DIDARGANJ District- PATNA

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1. Shakti Singh @ Shakit Singh @ Lakhan, Son of Jai Prakash Singh,
2. Manoj Kumar, Son of Jai Prakash Singh,
3. Surjesh Kumar @ Pukki @ Rakesh Ranjan Kumar, Son of Madhusudhan Singh.
4. Bittu Kumar @ Vittu Kumar, Son of Late Dinesh Singh,
5. Abhishek Kumar, Son of Megha Singh.
6. Vishwanath Singh @ Bishwanath Singh, Son of Late Ram Das Singh.
7. Lala Kumar, Son of Late Birendra Singh,
All residents of Village- Fatehpur, Police Station- Didarganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 30-01-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Didarganj P.S. Case No. 12 of 2017 registered for the offence punishable under Sections 147, 148, 149, 447, 323, 324, 307, 379 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners is assaulting the prosecution side resulting in infliction of grievous injuries to the members of the prosecution side. It is further alleged that the



petitioners had inflicted injuries, which have been found to be grievous in nature.

The learned counsel for the petitioners submits that as far as the petitioners No. 2, 5, 6 and 7 are concerned, there is no allegation of any sort of overt act resulting in any sort of injuries on the prosecution side. It is further submitted that the present case is outcome of a case and counter case and in fact, the accused persons have filed a case at the first instance. The petitioners herein are said to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I find that there is specific allegation against the petitioners No. 1, 3 and 4 of inflicting injuries on the persons of the prosecution side and the same have been found to be grievous in nature, hence, I am not inclined to grant them on anticipatory bail. Accordingly, the anticipatory bail petition of the petitioners No. 1, 3 and 4 is rejected.

As far as the petitioners No. 2, 5, 6 and 7 are concerned, since there is no allegation of any overt act against them, I deem it fit and proper to admit them to the privilege of anticipatory bail. Accordingly, I direct the petitioners No. 2, 5, 6 and 7 be released in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of



a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Patna City, Patna in connection with Didarganj P.S. Case No. 12 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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