

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34858 of 2019

Arising Out of PS. Case No.-301 Year-2018 Thana- DESARI District- Vaishali

1. KUNDAN SINGH S/o Vijay Singh Resident of Village- Sultanpur, P.S.- Desari, District- Vaishali.
2. Akhilesh Prasad Singh @ Akhilesh Singh S/o Guneshwar Singh @ Puneshwar Singh Resident of Village- Sultanpur, P.S.- Desari, District- Vaishali.
3. Sarvesh Kumar Singh @ Sarvesh Singh S/O Late Ram Ekbal Singh Resident of Village- Sultanpur, P.S.- Desari, District- Vaishali.
4. Ram Niwas Singh @ Niwas Singh @ Ram Nivesh Singh S/O Devndra Singh Resident of Village- Sultanpur, P.S.- Desari, District- Vaishali.
5. Dharm Raj Singh S/o Late Teja Singh Resident of Village- Sultanpur, P.S.- Desari, District- Vaishali.
6. Anshu Kumar @ Anshu Singh S/o Kamal Singh Resident of Village- Sultanpur, P.S.- Desari, District- Vaishali.
7. Kamal Singh @ Karu Singh S/o Late Bikan Singh @ Late Vikram Singh Resident of Village- Sultanpur, P.S.- Desari, District- Vaishali.
8. Mithilesh Prasad Singh @ Mita Singh S/O Guneshwar Singh @ Puneshwar Singh Resident of Village- Sultanpur, P.S.- Desari, District- Vaishali.
9. Bhola Singh S/o Late Raiwat Singh Resident of Village- Sultanpur, P.S.- Desari, District- Vaishali.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr.Dhananjay Kumar, Advocate
For the Opposite Party : Mr.Dr. Ajeet Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioners as well as

learned counsel for the State.

Petitioners apprehend arrest in a case registered for
the offences punishable under Sections 307/379 and other allied
sections of the Indian Penal Code.



Prosecution case in short is that the while the informant was watching television along with other co-villagers, all the accused persons, variously armed with deadly weapons, came to his shop and committed loot in his shop. Accused persons including the petitioners opened fire from country made pistol and brutally assaulted the informant and other co-villagers.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and they have no criminal antecedent. There is a case and counter case and the allegations are general and omnibus against the petitioners. No injuries have been caused to the prosecution side and some of the accused persons have already been allowed bail by the court below itself.

Considering the facts of the case, let all the petitioners, above named, in the event of his arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- each (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate II, Vaishali at Hajipur in Desari Police Station Case No. 301 of 2018, subject to the conditions laid



down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioners.

(Prabhat Kumar Singh, J)

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