

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37120 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- PIPRIYA District- Lakhisarai

UDAY SINGH @ UDAY SHANKAR SINGH Son of Late Ram Sarup Singh
Resident of Village - Walipur, P.S.- Pipariya, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur

For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-06-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Pipariya P.S. Case No. 31 of 2019, disclosing the offence under Section 302/34 of the Indian Penal Code.

Learned counsel, appearing on behalf of the petitioner, has submitted that there is allegation in the FIR against co-accused Rajan Kumar and Vikas Kumar of having made fatal blow, as instigated by co-accused Umesh Singh. So far as this petitioner is concerned, there is allegation against him of having assaulted the informant, who does not appear to have received any grievous injury. It has also been argued that it was because of some land dispute that the occurrence had



taken place.

Learned counsel for the informant, on the other hand, has submitted that considering the gravity of the allegation made in the FIR, the petitioner does not deserve the privilege of anticipatory bail.

In the background of rival submission made on behalf of the parties and the nature of allegation made in the FIR, it is evident that there is no allegation of active participation against these petitioners in commission of the offences, leading to the death of the deceased, Ajay Singh.

This application is accordingly allowed.

Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai, in connection with Pipariya P.S. Case No. 31 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the



petitioner shall present himself before the Police/Court,
as the case may be, as and when required and in the event
of failure on his part to appear before the court on two
consecutive occasions, his bail bonds shall be liable to
be cancelled.

(Chakradhari Sharan Singh, J)

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