

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39326 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

1. NAND KUMAR SINGH Son of Late Bakram Singh Resident of Village-Arfafar, P.S.-Udwant Nagar (Gajrajganj), District-Bhojpur.
2. Priti Singh @ Amit Singh @ Amit Son of Kedar Singh Resident of Village-Arfafar, P.S.-Udwant Nagar (Gajrajganj), District-Bhojpur.
3. Kuldeep Singh @ Kunj Bihari Singh Son of Nand Kumar Singh Resident of Village-Arfafar, P.S.-Udwant Nagar (Gajrajganj), District-Bhojpur.
4. Krishna Singh @ Jhapu Singh Son of Shiv Kumar Singh Resident of Village-Arfafar, P.S.-Udwant Nagar (Gajrajganj), District-Bhojpur.
5. Shiv Kumar Singh Son of Late Vakram Singh Resident of Village-Arfafar, P.S.-Udwant Nagar (Gajrajganj), District-Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-06-2019 Learned counsel for the petitioners states that petitioner no.1 has been arrested during the pendency of the application and the same to the extent it relates to petitioner no.1 has become infructuous.

This application to the extent it relates to petitioner no.1 is accordingly dismissed as having become infructuous.

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Udawant Nagar P.S. Case No. 86 of 2019, disclosing offences



under Sections 147, 149, 341, 323, 326, 353, 420, 379, 411 and 504 of the Indian Penal Code.

As alleged in the FIR, the police had intercepted a tractor, loaded with sand. When attempts were being made to seize the said tractor, as the sand was noticed to be illegally extracted, persons named in the FIR are said to have misbehaved with the members of the police party and assaulted them.

Learned counsel for the petitioners has submitted that, though there is specific allegation against co-accused Pappu Singh and the driver of the tractor, so far these petitioners are concerned, the allegation is general and omnibus.

Considering the above submissions, and the background of the facts, which have been alleged in the FIR, 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 bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Udawantnagar P.S. Case No. 86 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 petitioners shall present themselves before the 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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