

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44118 of 2019**

Arising Out of PS. Case No.-202 Year-2019 Thana- LAHERIMUHALLA
District- Nalanda

- =====
1. JITENDRA SINGH, aged about 55 years, male, S/o Naresh Singh R/o village- Fatehli, P.S.- Deep Nagar, District- Nalanda
 2. Gautam Singh, aged about 53 years, male, S/o Naresh Singh R/o village- Fatehli, P.S.- Deep Nagar, District- Nalanda
 3. Bipin Singh, aged about 48 years, male, S/o Naresh Singh R/o village- Fatehli, P.S.- Deep Nagar, District- Nalanda
 4. Kaushal Singh, aged about 45 years, male, S/o Naresh Singh R/o village- Fatehli, P.S.- Deep Nagar, District- Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Pankaj Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-07-2019

Learned counsel for the petitioner states that the petitioner nos. 1 and 2 has been arrested and as such the anticipatory bail petition has become infructuous and seeks permission to withdraw the same.

2. Permission is accorded. The anticipatory bail petition of petitioner nos. 1 and 2 stands dismissed as withdrawn.

3. Heard learned counsel for the petitioner nos. 3 and 4 and learned APP for the State.

4. The petitioner nos. 3 and 4 apprehend their arrest for the offences alleged under Sections 341, 342, 504, 323, 379, 307, 34 of the Indian Penal Code registered in connection with Laheri P.S. Case No. 202 of 2019.

5. It is submitted that the petitioner nos. 3 and 4 have been falsely implicated in the backdrop of land dispute. The accusation of assault is general and omnibus without any specific assault attributed to the petitioners. Injuries resulting from the



assault alleged against the petitioners are simple in nature. The petitioner nos. 3 and 4 claim clean antecedents.

6. Be that as it may, in the event arrest or surrender by the petitioner nos. 3 and 4 before the court below within six weeks from the date of communication of this order, let them be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with laheri P.S. Case No. 202 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioner nos. 3 and 4 herein.

(ii) That the petitioner no. 3 and 4 shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner nos. 3 and 4 shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner nos. 3 and 4 shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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