

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47444 of 2019

Arising Out of PS. Case No.-143 Year-2019 Thana- OBRA District- Aurangabad

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1. AMARNATH SINGH @ AMAR SINGH (Male), aged about 60 years, Son of Late Ramjanam Singh Resident of Village - Kajhwan, P.S.- Obra, Dist.- Aurangabad.
 2. Rakesh Kumar, (Male), aged about 28 years, Son of Amarnath Singh Resident of Village - Kajhwan, P.S.- Obra, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 17-10-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Obra P.S. Case No. 143 of 2019 registered under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the occurrence in question has allegedly taken place because of a land dispute where both the parties have indulged and so far as the allegation against these petitioners are concerned, those are false and flimsy allegations.

Learned A.P.P. for the State has opposed the prayer for



anticipatory bail of the petitioners, however he submits that there is a specific allegation of giving Garasa blow by accused Amar Singh (petitioner no. 1) on the head of the informant and the injury report shows that it has caused grievous injury. So far as petitioner no. 2 is concerned, there is however no specific allegation of assault against petitioner no. 2.

After some argument, learned counsel for the petitioners submits that he would withdraw this application as regards accused Amar Singh (petitioner no. 1).

Permission is granted.

This application as regard petitioner no. 1 is permitted to be withdrawn.

In case petitioner no. 1 surrenders and prays for regular bail before the court below within a period of four weeks from today, the same shall be considered by the court below on its own merit.

So far as petitioner no. 2 namely Rakesh Kumar, is concerned, since there is no specific allegation of causing any assault against the informant, let petitioner no. 2 namely Rakesh Kumar, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand



only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Aurangabad, in connection with Obra P.S. Case No. 143 of 2019, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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