

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50524 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- IMADPUR District- Bhojpur

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1. SURENDRA SINGH @ NAGA SINGH S/o Late Veer Singh R/o village- Bihta, P.S.- Imadpur, Distt.- Bhojpur.
 2. Himanshu Singh @ Shalu Singh S/o Late Meena Singh R/o village- Bihta, P.S.- Imadpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 16-11-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Imadpur P.S. Case No. 1 of 2019 registered for the offence punishable under Sections 341, 323, 151, 224, 225(B), 353, 504, 506 and 34 of the Indian Penal Code.

At the outset, the learned counsel for the petitioners seeks to withdraw the present petition qua the petitioner no. 2 in order to enable him to surrender before the court below and seek regular bail.

Accordingly, the present petition qua the petitioner no. 2 stands dismissed.



The case of the prosecution in brief is that the police personnels were trying to clear the road from the temporary shops erected on both sides of the road for the purposes of smooth passage of traffic. The petitioner no. 1 is stated to have come at the spot and misbehaved with the arm forces whereafter, he was confined by the police in their jeep, however, the petitioner no. 2, who is having as many as seven criminal cases against him, had come there and had abused the police forces whereafter, he had taken away the petitioner no. 1 by freeing him from the custody of the police.

The learned counsel for the petitioner has submitted that as far as the petitioner no. 1 is concerned, the allegation levelled by the police officials is false and even if the allegation levelled by the informant is considered to be true on its face value then also the petitioner is entitled to anticipatory bail inasmuch as he had neither assaulted the police personnel nor had abused them. The petitioner no. 1 is stated to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner no. 1 above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail



on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur, Ara in connection with Imadpur P.S. Case No. 1 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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