

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.58370 of 2019**

Arising Out of PS. Case No.-22 Year-2019 Thana- ISUAPUR District- Saran  
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1. PAPPU SINGH Son of Badshah Singh Resident of Village- Goha, P.S.-  
Isuapur, District- Saran
2. Dhiraj Kumar Singh @ Dhiraj Singh Son of Badshah Singh Resident of  
Village- Goha, P.S.- Isuapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner : Mr. Sanjay Kumar Singh, Advocate.

For the Opposite Party: Dr. Mrityunjaya Kr. Gautam, APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      17-09-2019                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 323, 324, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Isuapur P.S. Case No. 22 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute and there is case and counter case between the parties. Both sides have sustained injuries. It is submitted that as many as four persons are said to have assaulted the informant's brother Om Prakash Singh who has however sustained only one sharp cut injury on the head as appears from the order of the learned Sessions Judge. The



petitioners claim clean antecedents.

4. Learned APP on the other hand opposes the petition and invites reference to the observation of the learned Sessions Judge that the petitioners are said to have assaulted the informant's brother on the head with *sword* and *dab* respectively which is corroborated by the injury report showing sharp cut injury on the head and he has been referred to Sadar Hospital for C.T. Scan report. Other persons of the informant's side have also sustained injuries. Co-accused Ujjwal Kumar @ Ujjwal Kumar Singh has been granted anticipatory bail by this Court by order dated 06.08.2019 in Cr. Misc. No. 49024 of 2019.

5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saran at Chapra in connection with Isuapur P.S. Case No. 22 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 petitioners herein.

(ii) That the petitioners shall not indulge in any



similar offence till conclusion of the trial.

(iii) That the petitioners 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 petitioners 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.

6. The provisional bail granted to the petitioners shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bonds, that no grievous injury has been sustained on the head of the informant's brother Om Prakash Singh. In case grievous injury is found, their bail bonds shall stand automatically cancelled.

**(Vikash Jain, J)**

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