

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 65516 of 2019

Arising Out of PS. Case No.-254 Year-2017 Thana- EKMA District- Saran

Shonu Kumar Singh, aged about 27 years, Male, Son of Prabhu Nath Singh,
Resident of Village-Bhuili, P.S.-Ekma, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 324, 325, 307, 504 and 506 of the Indian Penal Code.

The prosecution is that as per FIR, the informant namely Shyam Bahadur Rai on 14.12.2017 gave a written report before the officer-in-charge of Ekma Police stating alleging therein that on 13.12.2017 Shonu Kumar Singh, Shrawan Kumar Singh and Vikky Kumar Singh all sons of Prabhu Nath Singh came at his house at around 7.30 a.m. and stated abusing them when the family members resisted then they entered into the house and started searching the son of the informant namely Sumit Prakash. When they do not found Sumit Prakash then threatened the informant and went back. After getting



information about the incident the son of the informant namely Sumit Prakash came from his shop and after went to meet the accused to know about the reason for the incident. Then on way near the house of Baccha Rai, all the accused persons armed with lathi, danda, rod and farsa attacked on the son of the informant. Due to which his son sustained several injuries. When other villagers started getting assembled at the place of occurrence then the fled away. The victim is getting treatment at PHCH, Patna.

Learned counsel for the petitioner submits that the victim namely Sumit Prakash got injured from the blow made by his friend namely Indrajeet Kumar and only to save his skin from the case filed by the Vikky Kumar Singh filed the present case against the petitioner in Ekma P.S. Case No. 04/2018 for the offence at (Annexure-2) of the bail petition.

Learned counsel for the petitioner further submits that there is case and counter case. There is no specific allegation the petitioner and the petitioner has no criminal antecedent.

In the aforesaid facts and circumstances of the case, let the petitioner, 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 of the order, be released on anticipatory



bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Chapra at Saran, in connection with Ekma P.S. Case No. 254 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and subject to the further following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Anjani Kumar Sharan, J)

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