

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74332 of 2018

Arising Out of PS. Case No.-676 Year-2018 Thana- BETTIAH CITY District-
West Champaran

- =====
1. Gopi Singh Son of Late Shivjee Singh.
 2. Raj Singh @ Raju Son of Rajendra Singh
- Both are Resident of Village- Ganj No.2, Ghasiyar, Ward No.8, Police Station-Bettiah Town, Distict-West Champaran.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar No.-7, Advocate.
For the informant : Mr. Bal Govind Sharma, Advocate.
For the State : Mr. Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehends their arrest for the offences alleged under Sections 341, 323, 325, 307, 504,34 of the Indian Penal Code registered in connection with Bettiah Town P.S. Case No. 676 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the accusation against the petitioner no. 1 along with co-accused Rajendra Singh is general and omnibus and he is said to have assaulted the informant and further the petitioner no. 1 is said to have assaulted Sita Devi with *dabia*, whereas the injury report of Sita Devi discloses simple injury with hard, blunt



substance. The petitioner no. 2 is said to have assaulted the informant with iron rod on her nose and leg and claims clean antecedents.

4. Considering the injury report of the informant which discloses grievous injury with hard, blunt substance on her nose which appears to support the accusations of petitioner no. 2, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner no. 2. The anticipatory bail petition of petitioner no. 2 stands dismissed.

5. Be that as it may, as regards the petitioner no. 1, in the event of the petitioner no. 1's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner no. 1 be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 676 of 2018, 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 shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the



investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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