

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12388 of 2020

Arising Out of PS. Case No.-195 Year-2018 Thana- BIDUPUR District- Vaishali

1. Matul Kumar @ Mukul Kumar @ Mukul Kumar Sah, aged about 20 years, Male, Son of Manoj Sah Resident of Village - Ismayeelpur, P.S.- Bidupur, Distt.- Vaishali
2. Vishal @ Vishal Kumar, aged about 21 years, Male, Son of Haran Singh Resident of Village - Uchidih, Bajitpur Malahi, P.S.- Bidupur, Distt.- Vaishali
3. Haran Singh @ Harindra Singh, aged about 49 years, Male, Son of Teka Singh Resident of Village - Uchidih, Bajitpur Malahi, P.S.- Bidupur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha, Adv.
For the Opposite Party/s : Mr.Binod Kumar No.2, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 23-12-2020 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Bidupur P.S. Case No. 195 of 2018 registered for offences under sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code.

There is a case and counter case between the parties with respect to demand of extortion money followed by assault to the Informant due to which he became unconscious.

There is a specific allegation of assault against the



petitioner no.3, namely, Haran Singh @ Harindra Singh by Lathi causing fracture in the forearm of the Informant.

In view of the above, this Court is not inclined to grant privilege of anticipatory bail to the petitioner no.3.

Accordingly, the prayer for anticipatory bail of the petitioner no.3, above named, is rejected.

With respect to petitioner nos. 1 and 2, there is general and omnibus allegation against them.

Looking to the entire facts and circumstances of the case, let the petitioner nos. 1 & 2, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 195 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call them for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that if they repeat the similar offence in future,



the prosecution will be at liberty to file an application for
cancellation of the bail.

(Shivaji Pandey, J)

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