

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2839 of 2020

Arising Out of PS. Case No.-282 Year-2019 Thana- DANAPUR District- Patna

1. Sanjay Singh @ Sanjay Kumar Singh Son of Bindeshwari Singh Resident of Mohalla - and P.S.- Rajeev Nagar, Distt - Patna.
2. Binay Kumar @ Binay Kumar Singh Son of Late Kamal Singh Resident of Mohalla - Durga Ashram Gali, Sheikhpura More, P.S.- Shastri Nagar, Distt - Patna.
3. Avikash Kumar @ Pappu Kumar Singh Son of Satendra Singh Resident of Village - Kurji under Sheweta Hotel, Saraswati Chandra Market, P.S.- Patliputra, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Ms.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and
learned A.P.P for the State.

The petitioners apprehend their arrest in **Danapur P.S. Case No. 282 of 2019 (arising out of Complaint Case No. 921(C)/2019)**, registered for the offence punishable under Sections 109, 120(B), 147, 148, 149, 323, 329, 330, 331, 384, 386, 387, 420, 424, 466, 467, 468, 469, 471, 474 of the Indian Penal Code and section 27 of the Arms Act.

The complainant/informant alleged that his brother received a legal notice and came to know that in the year 1971, his late Nana Ram Charitra Singh executed a sale deed in favour



of Girish Singh (father of petitioner Sanjay Kumar) and he mutated his name in the same year. It is further alleged that on 06.04.2019, in the morning accused persons came to his house and threatened him again and on 07.04.2019, when the complainant/informant went to Bandhan Banquet Hall on Tea point, the accused persons came and started abusing and caught the collar of the complainant/informant and started beating him with fists and slaps. The accused persons also showed him arms.

It is submitted that petitioners have falsely been implicated in this case. No such occurrence ever took place. There is land dispute between the parties. There is general and omnibus allegation against the petitioners. Petitioners have got clean antecedent.

Counsel for the informant vehemently opposed the prayer for bail.

Considering the facts aforesaid, the petitioners above-named in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned **Additional Chief Judicial**



Magistrate Ist, Danapur (Patna) in connection with **Danapur P.S. Case No. 282 of 2019 (arising out of Complaint Case No. 921(C)/2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioners 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 the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper 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 petitioners.

(Prabhat Kumar Singh, J)

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