

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5915 of 2020**

Arising Out of PS. Case No.-215 Year-2019 Thana- SIDHWALIYA District- Gopalganj

1. KRIPA SINGH S/o Late Chanaru Singh R/o village- Chand Parna, P.S.- Sidhwalia, District- Gopalganj
2. Manoj Singh S/o Kripa Singh R/o village- Chand Parna, P.S.- Sidhwalia, District- Gopalganj
3. Sanoj Singh S/o Kripa Singh R/o village- Chand Parna, P.S.- Sidhwalia, District- Gopalganj

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhramveer, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 03-07-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking anticipatory bail in connection with Sidhwalia P.S. Case No. 215 of 2019 registered for the offence punishable under Sections 341, 323, 325, 307, 354, 504, 379/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the injuries found on the informant and his wife were found to be simple in nature and against petitioner no. 1 there is no allegation of commission of any overt act.

Learned APP for the State has opposed the prayer for



anticipatory bail of the petitioners.

In the first information report there are specific allegation against petitioner nos. 2 and 3 to have assaulted on the head of the informant and his wife which finds support from the injury reports available at Annexure '2' series, thus, considering that the assault was on vital part of the body, this Court is not inclined to grant privilege of anticipatory bail to petitioner nos. 2 and 3. Their prayer for anticipatory bail is thus, refused.

In case, petitioner nos. 2 & 3 surrender and pray for regular bail in the court below within a period of four weeks from today, their prayer for regular bail shall be considered on it's own merit without being prejudiced by the order of this Court.

So far as petitioner no. 1 is concerned, there is no specific allegation of commission of any overt act against him, therefore, this Court directs the release of the petitioner no. 1 on bail in the event of his arrest or surrender within a period of four weeks from today in connection with Sidhwalia P.S. Case No. 215 of 2019 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XVI, Gopalganj, subject to the



conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application is partly allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

