

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5617 of 2020

Arising Out of PS. Case No.-313 Year-2019 Thana- NARDIGANJ District- Nawada

1. Ranjit @ Ranjeet Singh Son of late Indradeo Singh Resident of Village - Lodipur, Jafara, P.S.- Nardiganj, Dist.- Nawada.
2. Babalu Singh Son of Chandrika Singh Resident of Village - Lodipur, Jafara, P.S.- Nardiganj, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh, Advocate
For the Opposite Party/s : Mr. Uma Shankar Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 14-05-2020 Heard.

The matter has been taken up through virtual court proceeding.

The petitioners have preferred the present application for grant of bail in a case registered for the offences punishable under Sections 341, 323, 308, 379, 504, 337/34 of the IPC and Section 37© of Bihar Prohibition and Excise Act, 2016 as amended by Act 8 of 2018 as they are languishing in custody since 22.12.2019.

The prosecution case, as per the written report of Subhash Kumar submitted to the Station House Officer of Nardiganj Police Station, is to the effect that on 21.12.2019 at



5.30 P.M. the informant was going to his native village at Lodipur Jafra but, in the way, the petitioners stopped the motorcycle of the informant. Petitioner No. 1 Ranjeet Singh was in intoxicated condition and started abusing and tried to throttle the informant and took out Rs.13,700/-. When the informant reached home thereafter both the petitioners came at the house of the informant, petitioner no. 1 Ranjeet Singh was armed with sword whereas petitioner no. 2 Bablu Singh was armed with Fasuli and they assaulted the uncle Chhotakun Babu and aunt Pramila Devi of the informant.

It is submitted by learned counsel for the petitioners that there is a counter version of the occurrence being Nardiganj P.S. Case No. 314 of 2019 registered for the offences punishable under Sections 341, 323, 308, 379, 504 and 506/34 of the Indian Penal Code. The petitioners have also received injuries which has been brought on record as Annexure-3. The accusation of assault to the uncle and aunt of the informant is against both the petitioners. Petitioner no. 1 is accused in one another case and petitioner no. 2 is not having any criminal antecedent.

Learned APP, after going through the case diary, submits that there is specific accusation of assault against both the petitioners to the uncle and aunt of the informant.



Considering the fact that there is a case and counter case, petitioners have also received injuries, though the injury report contained in the case diary suggests that Pramila Devi, the aunt of the informant has received grievous injury but accusation of assault to the uncle and aunt of the informant is against both the petitioners and investigation has already been concluded, let the petitioners above named be released on bail for the present provisionally for a period of three months on furnishing one surety each to the satisfaction of the learned Additional District and Sessions Judge, IInd -cum- Special Judge, Excise, Nawada in connection with Nardiganj P.S. Case No. 313 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Adhar Card to the effect that he is ready to become the bailor of the petitioners which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioners will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) each with two sureties, including one surety each given at the time of



provisional bail, of the like amount each to the satisfaction of the learned Additional District and Sessions Judge- IInd -cum- Special Judge, Excise, Nawada in connection with Nardiganj P.S. Case No. 313 of 2019.

The learned Court below will further be at liberty to extend the period of provisional bail further if the lockdown is not over in three months.

(Dinesh Kumar Singh, J)

Amrendra/Dks

U		T	
---	--	---	--

