

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15889 of 2020

Arising Out of PS. Case No.-19 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

1. SUNIL SINGH S/o Gauri Singh Resident of Village- Sherpur, P.S.- Chainpur, Distt- Bhabua, Kaimur.
2. Santosh Singh S/o Amar Singh Resident of Village- Sherpur, P.S.- Chainpur, Distt- Bhabua, Kaimur.
3. Jhama Singh @ Jhama Shankar Singh S/o Late Shiv Murat Singh Resident of Village- Sherpur, P.S.- Chainpur, Distt- Bhabua, Kaimur.
4. Manoranjan Patel S/o Late Satya Prakash Singh Resident of Village- Sherpur, P.S.- Chainpur, Distt- Bhabua, Kaimur.
5. Dilranjan Patel S/o Late Satya Prakash Singh Resident of Village- Sherpur, P.S.- Chainpur, Distt- Bhabua, Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 448, 323, 354, 379, 504, 506 of the Indian Penal Code and Sections 37(i)(ii) of



the Bihar Prohibition and Excise (Amendment) Act, 2018.

Allegation is that the accused persons entered into the house of the informant carrying weapons in their hands and they tried to outrage the modesty of the informant. When her mother-in-law and husband came to her rescue, the accused persons also attacked on them. Co-accused Anil Patel is alleged to have consumed liquor.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The allegation of consuming liquor is against the co-accused Anil Patel. It is a case and counter case between the parties. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on



anticipatory bail on their personal bond to the satisfaction of Additional District and Sessions Judge 3rd-cum-Special Judge, Kaimur at Bhabua in connection with Chainpur P.S. case No.19 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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