

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM COURT'S CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18750 of 2020**

Arising Out of PS. Case No.-210 Year-2019 Thana- SAKURABAD District- Jehanabad

1. AADITYA NARAYAN SINGH @ AADITYA NARAYAN @ ADITYA NARAIN SINGH Son of Bipin Bihari Singh Resident of Dayalchak, P.S. - Shakurabad, District - Jehanabad.
2. Amode Singh @ Amod Singh Son of Late Kamta Singh Resident of Dayalchak, P.S. - Shakurabad, District - Jehanabad.
3. Ganesh Singh Son of Late Ramadhar Singh Resident of Dayalchak, P.S. - Shakurabad, District - Jehanabad.
4. Chandan Singh @ Chandan Kumar Son of Bhagwan Das @ Surjit Singh @ Bhagwan Das Singh Resident of Dayalchak, P.S. - Shakurabad, District - Jehanabad.
5. Suraj Kumar Son of Bhagwan Das @ Sarjit Singh Resident of Dayalchak, P.S. - Shakurabad, District - Jehanabad.
6. Chandan Kumar @ Chandan Singh Son of Ram Pravesh Singh Resident of Dayalchak, P.S. - Shakurabad, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhagya Narayan Jha, Adv.
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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

3 14-10-2020 Heard learned counsel for the petitioners and Mr. Prem Kumar Jha, learned APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Shakurabad P.S. Case No.210/2019 registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504 and 506/34 of the Indian Penal Code.



Learned counsel for the petitioners submits that on the last date upon noticing that the petitioner nos.1, 2 and 4 have got criminal antecedent and the same was not mentioned in paragraph '3' of the application, this Court had called for a show cause from the deponent. Show cause has been filed and it is the stand of the deponent that in fact in the court below the petitioners had themselves disclosed about that one criminal antecedent which is a case lodged by the same informant, but while filing this application inadvertently it was not mentioned in paragraph '3'. The deponent has sought unconditional apology for the same.

The show cause is accepted.

The matter has been heard.

Learned counsel for the petitioners submits that there is a case and counter case between the parties who are co-villagers and seems to have fought on a dispute over a pathway. So far as these petitioners are concerned, the allegations against them are general and omnibus.

Mr. Jha, learned APP for the State submits that so far as these petitioners are concerned, the allegations against them are general and omnibus and the person against whom there is specific allegation has not joined this proceeding.



Considering the aforesaid aspect of the matter that these petitioners and the informant are having a land dispute and in course of that the alleged occurrence has taken place in which there are general and omnibus allegation against these petitioners but no injury has been shown caused by them and the person against whom there is specific allegation is not before this Court, let the petitioners above-named in the event of their arrest or surrender within a period of four weeks from today in connection with Sakurabad P.S. Case No.210/2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, 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.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioners.

(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'.

