

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26142 of 2020

Arising Out of PS. Case No.-49 Year-2019 Thana- RAMPUR CHAURAM District-
Jehanabad

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1. GURIYA KUMARI @ SUPRIYA KUMARI @ GUDIYA KUMARI D/o Radheyshyam Singh Resident of Village-Haibatpur, P.S.-Rampur, District-Chauram, District-Arwal.
 2. Pammi Kumari @ Susmita Kumari D/o Radheyshyam Singh Resident of Village-Haibatpur, P.S.-Rampur, District-Chauram, District-Arwal.
 3. Ranju Devi W/o Radheyshyam Singh Resident of Village-Haibatpur, P.S.-Rampur, District-Chauram, District-Arwal.
 4. Radheyshyam Singh S/o Late Sikandar Singh Resident of Village-Haibatpur, P.S.-Rampur, District-Chauram, District-Arwal.
 5. Dinesh Singh S/o Late Ram Ekbal Singh Resident of Village-Haibatpur, P.S.-Rampur, District-Chauram, District-Arwal.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 15-10-2020

As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Senior Counsel for the petitioners and the learned Counsel for the State.

This Court would expect that the petitioners' Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners apprehend arrest in Rampur Chauram PS Case No. 49 of 2019 registered under Sections 307, 341, 323, 379, 504 and 506/34 of the IPC.

The prosecution case is that the informant was called to



the house of the petitioners, whereafter it is alleged that all of them surrounded him and there is allegation of assault by iron rod on the head of the informant by petitioner No. 4.

It is submitted by learned Senior Counsel for the petitioners that other than petitioner No. 4, there is no allegation of any assault. The prosecution party and the accused persons are relatives as is apparent from the FIR. Even the assault attributed to petitioner No. 4 has been found to be simple in nature in the Injury Report.

Learned APP for the State has submitted that the assault on head by iron rod is corroborated by the Injury Report and petitioner No. 4 is not entitled to grant of anticipatory bail.

Having considered the rival submissions this Court is not inclined to grant the privilege of anticipatory bail to petitioner No. 4 Radheshyam Singh. His prayer for anticipatory bail stands rejected.

Accordingly, let the petitioner Nos. 1 to 3 and 5, above named, in the event of arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM I Arwal in Ram0pur Chauram PS Case No. 49 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

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(Madhuresh Prasad, J)

