

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22862 of 2020**

Arising Out of PS. Case No.-130 Year-2019 Thana- BIDUPUR District- Vaishali

1. SANJAY SINGH Son of Late Raghubansh Singh Resident of Village- Chechar, P.S.- Bidupur, Distt- Vaishali
2. Dhananjay Singh S/o Late Raghubansh Singh Resident of Village- Chechar, P.S.- Bidupur, Distt- Vaishali
3. Niraj Kumar S/o Sanjay Singh Resident of Village- Chechar, P.S.- Bidupur, Distt- Vaishali
4. Dhiraj Kumar S/o Sanjay Singh Resident of Village- Chechar, P.S.- Bidupur, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-09-2020 Learned counsel for the petitioners undertakes to remove the defects within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr. Nand Kumar, learned APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Bidupur P.S. Case No.130/2019 registered for the offences punishable under Sections 341, 323, 337, 427, 308 and 504/34 of the Indian Penal Code.

After some argument, learned counsel for the petitioners submits that he would not press this application on behalf of the



petitioner nos.1 and 2 and this will be unconditional without reserving any right to file another application for anticipatory bail on their behalf.

In the aforesaid circumstance, let this application on behalf of the petitioner nos.1 and 2 be dismissed as not pressed.

In case petitioner nos.1 and 2 surrender in the court below within a period of four weeks from today and pray for regular bail, their prayer for regular bail shall be considered on their own merit without being prejudiced by the order withdrawing this case on their behalf.

So far as petitioner no.3 is concerned, learned counsel for the petitioners submits that the allegation against petitioner no.3 is that of causing one assault by an iron rod on the hand of the younger brother of the informant, the injury caused is simple in nature. So far as petitioner no.4 is concerned, there is no specific allegation against him save and except that he was also allegedly involved with others in pelting stones but these are general and omnibus kind of allegation against petitioner no.4.

Learned APP for the State has though opposed the prayer for anticipatory bail of the petitioner nos.3 and 4, however, considering the facts and circumstances of the case wherein the allegations petitioner no.3 is that of causing one assault on a non-vital part of the body which according to learned counsel for the petitioners has caused simple injury and against petitioner no.4 there



is no specific allegation of assault, let the petitioner nos.3 and 4 abovenamed in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing of bail bond of Rs. 25,000/- (Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Vaishali at Hajipur in connection with Bidupur P.S. Case No.130/2019, 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.

(Rajeev Ranjan Prasad, J)

arvind/-

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

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'.

