

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22876 of 2020**

Arising Out of PS. Case No.-215 Year-2019 Thana- SUPPI District- Sitamarhi

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SURESH SINGH @ SURESH PRASAD SINGH Son of Late Jata Singh
Resident of Village- Barahi Chantaman, P.S.- Suppi, Distt- Sitamarhi, (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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

3 13-11-2020 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Suppi P.S. Case No.215/2019 registered
for the offences punishable under Sections 341, 323, 324, 504,
506 and 379/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner and the informant are co-sharers. There is an admitted
land dispute between the parties and in course of ploughing of
field the alleged occurrence is said to have taken place. There is
a case and counter case between the parties. The counter case is
Annexure-2 to the present application.

Learned counsel submits that as per the allegations the



two sons of this petitioner had assaulted the informant's side and when the wife of the informant came there to save him she was also abused and dragged by this petitioner. Learned counsel submits that there is no allegation of commission of any overt act against this petitioner and only a concocted allegation of dragging of the wife of the informant has been levelled against this petitioner. It is also submitted that the injury report of the wife of the informant does not suggest any injury in the kind of allegations made against the petitioner. It is submitted that the petitioner is though accused in one case of petty nature, he is on bail in the said case.

Learned APP for the State has though opposed the prayer for anticipatory bail of the petitioner, but considering the nature of the alleged occurrence, there being a case and counter case and the only allegation against the petitioner is that he had abused and dragged the wife of the informant who had come there, let the petitioner in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Suppi P.S. Case No.215/2019, subject to the condition 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner.

(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'.

