

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28254 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- KALYANPUR District- Samastipur

1. RAKESH PRASAD SINGH @ RAKESH KUMAR, Son of Ganesh Prasad Singh Resident of Village- Mathurapur, P.S.- Kalyanpur, District- Samastipur.
2. Mukesh Prasad Singh @ Mukesh Kumar, Son of Ganesh Prasad Singh Resident of Village- Mathurapur, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Barj Kishore Sharma

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-12-2020 Nobody appears on behalf of the petitioners on repeated calls.

The State is represented by Mr. Chandra Bhushan Prasad, learned APP.

The petitioners seek bail in anticipation of their arrest in connection with Kalyanpur P. S. Case No. 23 of 2020 dated 28.01.2020, instituted for the offences under Sections 307, 323, 324, 341, 504 and 34 of the Indian Penal Code.

It has been submitted on behalf of the



petitioners that an occurrence took place while an asbestos sheet was being put over a wall. An earlier land dispute between the parties is pending and the allegations against the petitioners are general and omnibus and not specific. There is one day's delay in lodging the F.I.R. There is no reference of any injury report in the impugned order.

Apart from this, it has been submitted that one of the petitioners is physically handicapped.

Considering the afore-stated facts, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur, in connection with Kalyanpur P. S. Case No. 23 of 2020, subject to the conditions as



laid down under Section 438 (2) Cr.P.C.

Since there is no appearance on behalf of the petitioners, it is observed that this order shall be implemented only if the petitioners have not yet been arrested.

The application stands allowed with the aforesaid observation.

(Ashutosh Kumar, J)

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