

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71586 of 2019

Arising Out of PS. Case No.-126 Year-2019 Thana- SISWAN District- Siwan

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1. Kamlesh Singh @ Kamlesh Son of Rajdhari Singh, Resident of Village - Mahanagar, P.S.- Siswan, Distt.- Siwan.
 2. Munib Kumar Singh @ Munib Singh Son of Laljee Singh, Resident of Village - Mahanagar, P.S.- Siswan, Distt.- Siwan.
 3. Manoj Kumar Singh @ Manoj Singh Son of Rajdhari Singh, Resident of Village - Mahanagar, P.S.- Siswan, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 05-03-2020 At the outset, the learned counsel for the petitioners submits that the petitioner no.2 namely Munib Kumar Singh @ Munib Singh has already been arrested, hence, he seeks to withdraw the present petition qua the petitioner no.2.

Accordingly, the present petition qua the petitioner no.2 stands dismissed as withdrawn.

At this stage, the learned counsel for the petitioners further seeks to withdraw the present petition qua the petitioner no.1 namely Kamlesh Singh @ Kamlesh in order to enable him to surrender before the learned court below and seek regular bail.



Accordingly, the present petition qua the petitioner no.1 stands dismissed as not pressed with liberty to the petitioner no.1 to surrender before the learned court below in connection with Siswan P.S. Case No. 126 of 2019, and seek regular bail.

Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Siswan P.S. Case No. 126 of 2019 for the offence punishable under Sections 448, 341, 323, 354-A, 354B, 379, 324, 326 and 504 of the Indian Penal Code.

The allegation is regarding the petitioners no. 1 and 2 having tried to outrage the modesty of the sister-in-law of the informant and upon objection being raised by the informant, the petitioner no.1 is stated to have assaulted the informant by iron rod on his head, resulting in him being injured seriously.

The learned counsel for the petitioners has submitted that as far as the petitioner no.3 namely Manoj Kumar @ Manoj Singh is concerned, there is no allegation of any sort of overt act and moreover, the petitioner no.3 is having a clean antecedent. It is further submitted that if any complicity is there in the alleged occurrence, it is that of the petitioner no.1.



Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioners, I deem it fit and proper to admit the petitioner No.3 to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner No.3 namely Manoj Kumar Singh @ Manoj Singh is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned CJM, Siwan in connection with Siswan P.S. Case No. 126 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

It is needless to state that the prayer of the petitioner no.1 for grant of regular bail would be considered by the learned court below without being prejudiced by any observation made in the present petition.

(Mohit Kumar Shah, J)

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