

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86489 of 2019

Arising Out of PS. Case No.-312 Year-2019 Thana- BHORE District- Gopalganj

- =====
1. MANOJ SINGH Son of Sudama Singh Resident of Village - Tilak Dumar, P.S.- Bhorey, Distt - Gopalganj.
 2. Chandesh Singh Son of Sudama Singh Resident of Village - Tilak Dumar, P.S.- Bhorey, Distt - Gopalganj.
 3. Shanti Devi Wife of Sudama Singh Resident of Village - Tilak Dumar, P.S.- Bhorey, Distt - Gopalganj.
 4. Rukhamini Kuwar @ Rukhamini Kumari Wife of Late Ashok Singh Resident of Village - Tilak Dumar, P.S.- Bhorey, Distt - Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad
For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 19-06-2020 Heard Mr. Naresh Prasad, learned counsel for

the petitioner and Mr. Umanath Mishra, learned APP for

the State.

It has been stated before this Court that during

the pendency of this petition, petitioner nos. 2 and 4

have been arrested. Thus their applications have become

infructuous.

The application with respect to petitioner no.



2 / Chandesh Singh and petitioner no. 4 /Rukhamini Kuwar @ Rukhamini Kumari are dismissed as having become infructuous.

Learned counsel for the petitioners presses the bail petition on behalf of petitioner nos. 1 and 3, who seek bail in anticipation of their arrest in connection with Bhorey P.S. Case No. 312 of 2019 dated 23.09.2019 instituted for the offences under Sections 341, 323, 307, 302 and 504/34 of the Indian Penal Code.

It has been alleged in the First Information Report that all the accused persons including petitioner nos. 1 and 3 surrounded the father of the informant and assaulted him. When the mother of the informant came to his rescue, she too was assaulted by one Santosh Singh leading to injuries on her person. During the course of treatment, the father of the informant died.

Learned counsel for petitioners has submitted that there is general and allegation against all the accused persons and specific accusation of assault is



against Santosh Singh, who is said to have assaulted the mother of informant.

However, considering the nature of accusation, I am not inclined to grant anticipatory bail to petitioner no. 1.

The prayer of anticipatory bail of petitioner no. 1/Manoj Singh is rejected.

However, if he surrenders before the court below and seeks bail, the same shall be considered on its own merit without being prejudiced by the fact that present petition on his behalf has not been entertained.

So far as petitioner no. 3 / Shanti Devi is concerned, regard being had to her age which is stated to be 55 years and her gender, she is directed to be released on bail, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to



the satisfaction of learned Chief Judicial Magistrate,
Gopalganj, in connection with Bhorey P.S. Case No. 312
of 2019, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

sunilkumar/-

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