

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29553 of 2020

Arising Out of PS. Case No.-26 Year-2020 Thana- AMBA District- Aurangabad

1. Nagina Singh, aged about 55 years, S/o Late Permeshwar Singh
2. Raushan Kumar Singh, Male, aged about 25 years, S/o Sadhusharan Singh
3. Vikash Kumar Singh, Male, aged about 23 years, S/o Manoj Singh, all resident of Village-Iriyap, P.S.-Amba, District-Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar, Advocate
For the State : Mr.Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-03-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Amba P.S. Case No. 26 of 2020 registered for the offences punishable under Sections 147, 149, 341, 323, 504, 506, 307 of the Indian Penal Code and later on Section 302 I.P.C. has been added.

The prosecution case in short is that the fardbeyan of Awadh Bihari Singh recorded on 27.04.2020 in Private Hospital discloses the allegations that on 23.04.2020 at about 9 P.M. Nagina Singh of village Iriyap arrived in village from Madhya Pradesh while Amresh Singh went to him to persuade for test



but he was abused. Again on 26.04.2020 at about 8 P.M., Lalan Singh, Ramadhar Singh and Ravi Singh went to the house of the petitioner for telling him to go for Corona Test meanwhile all the named accused persons named in the F.I.R. started assaulting with lathi and danda and caused injury to Lalan Singh, Ramadhar Singh and Ravi Singh thereafter Nagina Singh instigated to kill them thereupon all accused persons went on roof and started pelting stone. It is alleged that Lalan Singh fell on ground and Ramadhar Singh also sustained injury.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. There is general and omnibus allegation against these petitioners. Previously, the offence is registered under Section 307 of I.P.C. and other Sections of the I.P.C. Later on, Section 302 of the I.P.C. was added in the present case.

Learned counsel for the State submits that there is general and omnibus allegation against these petitioners. It appears that the deceased and other injured have sustained multiple injuries. Hence, it is not a fit case for grant of anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the above named petitioners in connection with Amba P.S. Case



No.26 of 2020 pending in the court of learned Chief Judicial Magistrate, Aurangabad, Bihar is hereby rejected. However, the petitioners are directed to surrender before the court below and the learned court below shall dispose of the bail application of the petitioners on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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