

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31604 of 2020

Arising Out of PS. Case No.-131 Year-2020 Thana- AWTARNAGAR District- Saran

1. Rajeev Kumar @ Sikandar Kumar Son of Kalyug Singh, Resident of Village- Purushottampur, Police Staion- Awatar Nagar, District- Saran at Chapra.
2. Rajesh Kumar Son of Kalyug Singh, Resident of Village- Purushottampur, Police Staion- Awatar Nagar, District- Saran at Chapra.
3. Kalyug Singh Son of Late Dhuplal Singh, Resident of Village- Purushottampur, Police Staion- Awatar Nagar, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Rabindra Kumar, Priyadarshi and
Mr. Satya Nand Shukla.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-03-2021 Heard learned counsel for the petitioners and learned
counsel for the State.

Learned counsel for the petitioners submits that
petitioner no. 3 has been arrested, as such, this application has
rendered infructuous with regard to petitioner no. 3.

In such view of the matter, this application is
dismissed as infructuous with regard to petitioner no. 3.

So far petitioner nos. 1 and 2, they are seeking
anticipatory bail in connection with Awtarnagar P.S. Case
No.131 of 2020 registered for offence punishable under sections
341, 323, 379, 307, 504, 506/34 of the Indian Penal Code.



Allegation has been made that by the informant that his nephew, namely, Sanjay Kumar had objected the petitioner no.1, Rajeev Kumar for moving freely in the village after returning from Haryana red zone and requested for confining himself in quarantine at his home whereupon the petitioner nos.1 and 2 started hurling abuses. When Sanjay Kumar raised objection, they assaulted causing injury by pelting stones. When the informant and his nephew, namely, Binay Kumar Vidyarthi came to rescue Sanjay Kumar then Sunil Singh and Kalyug Singh came and assaulted the victim causing injury.

As it appears that dispute arose between the parties during pandemic period with regard to issue of quarantine, let petitioner nos. 1 and 2, namely, Rajeev Kumar @ Sikandar Kumar and Rajesh Kumar, in event of arrest or surrender before the court below within six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Saran at Chapra/Successor Court in connection with Awtarnagar P.S. Case No.131 of 2020, subject to condition as laid down under section 438 (2) Cr.PC and further condition is that (I) one of the bailors of the petitioner nos. 1 and 2 shall be their close relative,



(ii) they will not induce any witness or tamper with the evidence and (iii) they shall cooperate in the disposal of trial and make themselves available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the court below will be at liberty to cancel the bail bonds of the petitioner nos. 1 and 2.

(Shivaji Pandey, J)

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