

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39869 of 2020

Arising Out of PS. Case No.-156 Year-2019 Thana- KOPA District- Saran

1. AMAN SINGH S/o Upendra Kumar Singh R/o village- Kumna, P.S.- Kopa, District- Saran, Chapra
2. Subham Singh S/o Upendra Kumar Singh R/o village- Kumna, P.S.- Kopa, District- Saran, Chapra

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Kishore Singh
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-11-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379 & 504/34 of the Indian Penal Code.

While the informant had gone to visit his field, the petitioners along with other accused persons are said to have



armed with weapons came and started abusing him. On the protest made by him, Ajit Kumar Kushwaha and Aman Singh (petitioner no.1) caught his hands and accused Aman Singh @ Chotu Singh assaulted him with knife causing injury to him. Petitioner no.2 also assaulted him with knife with an intention to kill him.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to previous enmity. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of one day in filing the lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending in connection



with Kopa P.S. Case No.156 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

As there is specific allegation of assault and causing injury to the informant against petitioner no.2, I am not inclined to enlarge petitioner no.2 on anticipatory bail. The prayer for anticipatory bail of petitioner no.2 is hereby rejected. However, petitioner no.2 is directed to surrender before the learned Court below within four weeks from today and seek regular bail.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

