

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50485 of 2021

Arising Out of PS. Case No.-90 Year-2021 Thana- BHABHUA District- Kaimur (Bhabua)

1. RAJU SINGH Son of Prabhu Narayan Singh Resident of Village- Bagaicha, P.S.- Sonhan, District- Kaimur.
2. Sanjay Singh Son of Prabhu Narayan Singh Resident of Village- Bagaicha, P.S.- Sonhan, District- Kaimur.
3. Dharendra Singh Son of Raghubar Singh Resident of Village- Bagaicha, P.S.- Sonhan, District- Kaimur.
4. Pappu Singh Son of Raghubar Singh Resident of Village- Bagaicha, P.S.- Sonhan, District- Kaimur.
5. Birbhagat Singh Son of Chandrama Singh Resident of Village- Bagaicha, P.S.- Sonhan, District- Kaimur.
6. Ashok Singh Son of Angad Singh Resident of Village- Bagaicha, P.S.- Sonhan, District- Kaimur.
7. Dharmendra Singh Son of Ram Akbal Singh Resident of Village- Bagaicha, P.S.- Sonhan, District- Kaimur.
8. Raghubar Singh Son of Late Tribhuwan Singh Resident of Village- Bagaicha, P.S.- Sonhan, District- Kaimur.
9. Chandrama Singh Son of Late Tribhuwan Singh Resident of Village- Bagaicha, P.S.- Sonhan, District- Kaimur.
10. Angad Singh Son of Late Rammurt Singh Resident of Village- Bagaicha, P.S.- Sonhan, District- Kaimur.
11. Prabhunaryan Singh Son of Late Rammurt Singh Resident of Village- Bagaicha, P.S.- Sonhan, District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 22-12-2021 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner Nos. 3, 7 & 10 namely Dharendra Singh, Dharmendar Singh and Angad



Singh as during pendency of this application, they have been taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner Nos. 3, 7 & 10 namely Dhirendra Singh, Dharmendar Singh and Angad Singh is dismissed as withdrawn.

The petitioner Nos. 1, 2, 4, 5, 6, 8, 9 & 11 are apprehending their arrest in a case registered for the offence under Sections 147, 148, 149, 341, 323, 326, 327, 354, 427, 448 of the Indian Penal Code.

Allegedly, the accused persons having armed with weapons, tress-passed in the house of the informant. The accused persons are said to have thrown acid on the informant. The informant's house was burnt causing damage to the informant's house to the extent of Rs. 50,000/-

It has been submitted on behalf of the petitioner Nos. 1, 2, 4, 5, 6, 8, 9 & 11 that the petitioner Nos. 4, 5, 8 & 9 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against them. The petitioner Nos. 1, 2, 4, 5, 6, 8, 9 & 11 have been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The allegation of pouring acid on the informant is alleged against the co-accused Ajay Kumar and



Sheoparsan Singh. No specific overt act is alleged against the petitioner Nos. 1, 2, 4, 5, 6, 8, 9 & 11.

On behalf of the State, it is submitted that the petitioner Nos. 1, 2, 4, 5, 6, 8, 9 & 11 are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner Nos. 1, 2, 4, 5, 6, 8, 9 & 11, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua (Sonhan) P.S. Case No. 90 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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