

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39103 of 2020

Arising Out of PS. Case No.-66 Year-2020 Thana- NARAINPUR District- Bhojpur

1. Amit Kumar Singh @ Amit Kumar, aged about 40 years, Male, S/o Siyaram Singh, R/o village- Narayanpur, P.S.- Narayanpur, Distt.- Bhojpur.
2. Manjit Kumar Singh, aged about 38 years, Male, S/o Anil Singh, R/o village- Narayanpur, P.S.- Narayanpur, Distt.- Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Uday Kumar, Advocate.
For the Opposite Party : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-07-2021 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State through Virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application filed on behalf of petitioner no. 2, namely, Manjit Kumar Singh, as he has been taken into judicial custody in connection with Narayanpur P.S. Case No. 66/2020, pending in the court of learned A.C.J.M.-VI, Bhojpur at Ara.



Permission is accorded.

Accordingly, the present anticipatory bail application filed on behalf of petitioner no. 2, namely, Manjit Kumar Singh, is dismissed as withdrawn.

Now the petitioner no. 1 is apprehending his arrest in a case for the offence registered under Sections 323, 324, 307, 386, 147, 148 and 149 of the I.P.C.

The prosecution story, in brief, is that the Amit Kumar Singh (petitioner no. 1) and other accused persons armed with Lathi, Danda and Iron rod surrounded the informant and the petitioner no. 1 Amit Kumar Singh demanded Rangdari from him. When he protested, Amit Kumar Singh assaulted him on his head with sharp edged weapon with the intention to kill him due to which, blood oozed out. The petitioner no. 1 Amit Kumar Singh also took out Rs. 10,000/- from his pocket. It is further alleged that other co-accused also assaulted the informant.

It has been submitted by learned counsel for the petitioner no. 1 that he has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against him. From the order of the learned Sessions Court, it appears that the nature of injury is said to be simple. No offence under Section 307 of the I.P.C. is made out. Due to



previous enmity, the present case has been instituted.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner no. 1 is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner no. 1 above named, (except petitioner no. 2 Manjit Kumar Singh) 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 his personal bond to the satisfaction of the learned A.C.J.M.-VI, Bhojpur at Ara, in connection with Narayanpur P.S. Case No. 66/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner no. 1 shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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