

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.381 of 2021

Arising Out of PS. Case No.-97 Year-2020 Thana- CHARPOKHARI District- Bhojpur

1. BASANT SINGH Son of Sudarshan Singh Resident of Village - Dumaria, P.S.- Charpokhari, Distt.- Bhojpur.
2. BEYASH SINGH @ VYAS SINGH Son of Lalan Singh Resident of Village - Dumaria, P.S.- Charpokhari, Distt.- Bhojpur.
3. KRISHANA KUMAR SINGH @ KRISHNA SINGH Son of Bal Roop Singh Resident of Village - Dumaria, P.S.- Charpokhari, Distt.- Bhojpur.
4. LALAN SINGH Son of Late Sarvan Singh Resident of Village - Dumaria, P.S.- Charpokhari, Distt.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA,

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. M.K. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners seeks permission
of the Court to withdraw this application in respect of petitioner
no. 3 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect
of petitioner no. 3.

Learned counsel for the petitioner nos. 1, 2 and 4 is
directed to remove the defects, as pointed out by the Office,



within a period of four weeks after restoration of normalcy.

The petitioner nos. 1, 2 and 4 are apprehending their arrest in a case registered under Sections 341, 147, 323, 504, 307, 354 and 506 of the Indian Penal Code.

The prosecution allegation, in short, is that on the issue of construction of cow shed by the informant, the accused persons assaulted him and family members due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioner nos. 1, 2 and 4 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 1, 2 and 4. The petitioner nos. 1, 2 and 4 have falsely been implicated in the present case. General and omnibus allegation has been made against petitioner nos. 1, 2 and 4. No specific overt act is alleged against petitioner nos. 1, 2 and 4. Specific allegation of assault is against the co-accused Om Prakash Singh who is said to have assaulted the victim.

On behalf of the State, it is submitted that the petitioner nos. 1, 2 and 4 are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner nos. 1, 2 and 4, above named,



in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 97/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each 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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