

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40773 of 2020**

Arising Out of PS. Case No.-12 Year-2020 Thana- HALSI District- Lakhisarai

1. KAJU KUMAR @ ABHISHEK KUMAR SON OF BHUNESHWAR SINGH, Resident of Village - Mohiyan, P.S.- Halsi, Distt.- Lakhisarai.
2. Nilesh Kumar @ Nilesh Singh Son of Ram Swaroop Singh, Resident of Village - Mohiyan, P.S.- Halsi, Distt.- Lakhisarai.
3. Amod Kumar @ Amod Singh Son of Late Bhasho Singh, Resident of Village - Mohiyan, P.S.- Halsi, Distt.- Lakhisarai.
4. Mukesh Singh @ Mukesh Kumar Singh Son of Late Bhasho Singh, Resident of Village - Mohiyan, P.S.- Halsi, Distt.- Lakhisarai.
5. Subodh Singh Son of Late Jagdish Singh, Resident of Village - Mohiyan, P.S.- Halsi, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mukul Jee  
For the Opposite Party/s : Mr.Kanhaiya Kishore

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY**

ORAL ORDER

2      13-12-2021      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

At the very outset, the learned counsel for the petitioners has submitted that the petitioner no. 1, Kaju Kumar @ Abhishek Kumar was arrested during the pendency of this anticipatory bail petition and the petitioner no. 5, Subodh Singh



has died during the pendency of this anticipatory bail petition.

As such, this bail petition in respect of the petitioner nos. 1 and 5 is dismissed as withdrawn.

So far as the petitioners nos. 2 to 4 are concerned, they apprehend their arrest in connection with Halsi P.S. Case No. 12 of 2020 registered for offence punishable under sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

As per allegation, the accused persons named in the FIR badly assaulted the informant and his family members.

The learned counsel for the petitioners has submitted that the allegation against the present petitioners is general and omnibus in nature. So far as the specific allegation of inflicting *Khanti* blow on the head of the informant is concerned it is not against the present petitioners, rather it is against the co-accused, Ram Swaroop Singh.

On the other hand, the learned Additional Public Prosecutor has opposed the prayer for bail.

Considering the fact that the allegation against the petitioners is general and omnibus in nature and the specific allegation of inflicting *Khanti* blow on the head of the informant has been levelled against the co-accused, Ram Swaroop Singh,



the petitioner nos. 2 to 4, in the event of their arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Lakhisarai in connection with Halsi P.S. Case No. 12 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey , J)**

Mahesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

