

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7492 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- DARIYAPUR District- Saran

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1. CHANDAN SINGH S/O KRISHNA SINGH Resident Of Village - Samaspura, P.S. - Dariyapur, District - Saran.
 2. KUNDAN SINGH S/O KRISHNA SINGH Resident Of Village - Samaspura, P.S. - Dariyapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-08-2021 Heard learned counsel for the petitioners and the State through virtual mode.

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

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner No. 1 namely, Chandan Singh as during pendency of this application, he has been taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner No. 1 namely, Chandan Singh is dismissed as withdrawn.



The petitioner No. 2 is apprehending his arrest in Dariyapur P.S. Case No. 265 of 2020 registered under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504, 506 of the Indian Penal Code.

Allegedly, two persons were assaulted brutally by the accused persons as a result of which, both victims sustained injuries and one of the injured died in course of treatment.

It has been submitted on behalf of the petitioner No. 2 that he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against him. The petitioner No. 2 has been falsely implicated in the present case. General and omnibus allegation has been made against the petitioner No. 2. No specific overt act is alleged against the petitioner No. 2. Altogether 36 persons are named in the FIR along with 10-15 unknown persons.

On behalf of the State, it is submitted that the petitioner No. 2 is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner No. 2, 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 his personal bond to the satisfaction of



learned Additional Chief Judicial Magistrate-XIII, Saran at Chapra in connection with Dariyapur P.S. Case No. 265 of 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. 2 shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) 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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