

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3657 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

1. SONU SINGH @ CHANDU SINGH @ CHANDAN SINGH, Son of Arun Singh Resident of Village - Tilaktajpur, Police Station - Runnisaidpur, District - Sitamarhi
2. Pankaj Kumar @ Pankaj Singh, Son of Late Vimal Singh Resident of Village - Tilaktajpur, Police Station - Runnisaidpur, District - Sitamarhi
3. Chandan Kumar @ Chandan Singh, Son of Prem Singh Resident of Village - Tilaktajpur, Police Station - Runnisaidpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abhijeet Gautam
For the Opposite Party/s :	Mr. Ranjay Kumar Singh, Advocate
	Mr. Md. Matlob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 22-10-2021 Heard Mr. Sriram Krishna, learned advocate for the petitioners and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Runnisaidpur P. S. Case No. 121 of 2020, dated 12.03.2020, instituted for the offences under Sections 147, 148, 149, 341, 323, 342, 302, 379, 354, 427 and 504 of the Indian Penal Code.

The accusation in the F.I.R. is that the petitioners and others had come to the house of the



informant and in the fight between the parties, one Alok Singh is said to have hit the deceased in his testicles by his knees. The cause of death but is otherwise. The deceased appears to have been hit on his head, as a result of which he died.

The learned advocate for the petitioners has, therefore, submitted that they are not the assailants of the deceased. They in fact have not been attributed with any overt act whatsoever.

The learned counsel for the informant, however, has submitted that all other accused persons of this case with similar accusation have been granted regular bail by the High Court. With respect to the petitioners, process under Sections 82 and 83 Cr.P.C. also has been initiated.

Considering this aspect of the matter, I am not inclined to grant anticipatory bail to them, notwithstanding the fact that they have not been attributed with any overt act or specific overt act of



hurting and killing the deceased.

The prayer for anticipatory bail is rejected.

The interim order dated 09.09.2021 stands vacated.

However, if the petitioners surrender before the court below and seek bail, their application shall be considered on its own merits, taking into account the fact that the similarly situated accused persons have been granted bail by the High Court and that they are not the assailants of the deceased and shall pass orders in accordance with law, without being prejudiced by the fact that the present petition on their behalf has not been entertained by this Court.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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