

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6191 of 2021**

Arising Out of PS. Case No.-154 Year-2020 Thana- DIGHA District- Patna

1. Ajit Singh Son Of Sri Alakh Singh Resident Of Ramji Chak, Bataganj, Jahaj Ghat Road, P.S. - Digha, District - Patna.
2. Dharmendra Kumar @ Dharmendra Singh Son Of Sri Alakh Singh Resident Of Ramji Chak, Bataganj, Jahaj Ghat Road, P.S. - Digha, District - Patna.
3. Golu Singh Son Of Sri Sunil Singh Resident Of Ramji Chak, Bataganj, Jahaj Ghat Road, P.S. - Digha, District - Patna.
4. Pawan Singh Son Of Sri Sunil Singh Resident Of Ramji Chak, Bataganj, Jahaj Ghat Road, P.S. - Digha, District - Patna.
5. Ishu Singh Son Of Ramchandra Singh Resident Of Ramji Chak, Bataganj, Jahaj Ghat Road, P.S. - Digha, District - Patna.

... .. petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-12-2021 Learned counsel for the petitioners undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Ms. Asha Kumari, learned APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Digha P.S. Case No. 154 of 2020 registered for the offences punishable under Sections 341, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.



Learned counsel for the petitioners submits that these petitioners are the neighbours of the informant. Earlier Digha P.S. Case No. 155 of 2020 was instituted against the informant's son namely Abhishek Kumar and others for the offences under Sections 341, 307 and 34 of the Indian Penal Code read with 27 of the Arms Act. The present case is the counter blast of the said case. Though the allegation is that of 20 rounds of firing but no sign of firing has been found on the spot and it is the informant who claims to have handed over one empty cartridge to the police officer.

Learned counsel further submits that there is no injury to anybody as a result of the alleged firing. No case under Section 307 IPC is made out and the petitioners as well as the informant have already compromised the matter.

Learned APP for the State has though opposed the prayer for pre-arrest bail of the petitioners but considering the entirety of the facts and circumstances of the case as discussed above, this Court directs that the petitioners above named in the event of their arrest or surrender within four weeks from today be released on bail on furnishing of bail bond of Rs.25,000/- (Rupees Twenty Five Thousand/-) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna



in connection with Digha P.S. Case No. 154 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

