

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6702 of 2021

Arising Out of PS. Case No.-294 Year-2020 Thana- VAISHALI District- Vaishali

1. CHANDAN KUMAR Son of Raju Singh @ Rajeshwar Singh Resident of Village - Narainpur, P.S. -Vaishali, District - Vaishali.
2. Channu Kumar @ Chunnu Kumar Son of Chandradip Singh Resident of Village - Narainpur, P.S. -Vaishali, District - Vaishali.
3. Shekhar Kumar Son of Chandradip Singh Resident of Village - Narainpur, P.S. -Vaishali, District - Vaishali.
4. Abhinash Kumar Son of Manoj Singh Resident of Village - Narainpur, P.S. -Vaishali, District - Vaishali.
5. Ranjeet Kumar Son of Chandrika Singh Resident of Village - Narainpur, P.S. -Vaishali, District - Vaishali.
6. Vinay Kumar Son of Chandrika Singh Resident of Village - Narainpur, P.S. -Vaishali, District - Vaishali.
7. Pawan Kumar Son of Chandradip Singh Resident of Village - Narainpur, P.S. -Vaishali, District - Vaishali.
8. Rakesh kumar Son of Lakshman Singh Resident of Village - Narainpur, P.S. -Vaishali, District - Vaishali.
9. Samarjeet Kumar Son of Shatrudhan Singh Resident of Village - Narainpur, P.S. -Vaishali, District - Vaishali.
10. Shatrudhan Singh Son of Jugal Singh Resident of Village - Narainpur, P.S. -Vaishali, District - Vaishali.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Natraj Verma, Advocate
For the Opposite Party/s	:	Mr.Bhanu Pratap Singh, APP
For the Informant	:	Mr. Shyameshwar Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 06-10-2021 Heard learned counsel for the petitioners, learned counsel for the informant and Mr. Bhanu Pratap Singh, learned A.P.P. for the State.

Petitioners, in the present case, are seeking pre-arrest bail in connection with Vaishali P.S. Case No. 294 of 2020



registered for the offence under Section 341/323/324/325/307/379/504/506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that in respect of the alleged occurrence which took place on 02.09.2020 both sides have lodged F.I.Rs. in which they have alleged against each other. It is further submitted that the alleged occurrence has taken place in a Panchayati which was being held to resolve the dispute between the parties over the fishing in a village pond.

It is submitted that in the F.I.R. there are general and omnibus allegations that all persons had indulged in the alleged occurrence, however the specific allegation of assault have been made against co-accused Raju Singh @ Rajeshwar Singh who had allegedly assaulted the informant on his head, Chandan Kumar (the petitioner no.1) and co-accused Akhilesh Kumar (petitioner in Cr. Misc. No. 22728/2021 in which he has been granted regular bail).

Learned counsel submits that so far as petitioner no. 2 to 10 are concerned, they are said to be the members of petitioners' side but there is no specific allegation against them.

Learned counsel for the informant as well as learned A.P.P. for the State does not dispute the submission made on



behalf of the petitioners.

Considering the facts and circumstances of the case, wherein this Court has found that the allegation against petitioner no. 1 is identical to that of the co-accused Akhilesh Kumar who has been granted bail in Cr. Misc. No. 22728/2021 today, if he surrenders in the learned court below within four weeks from today his prayer for regular bail shall be considered by the learned court below keeping in view that the co-accused has been granted bail by this Court.

So far as petitioner no. 2 to 10 are concerned, in the nature of the disputes in which the parties were holding Panchayati and in the said Panchayati the alleged occurrence had taken place in which both sides have lodged F.I.Rs. against each other and there is no specific allegation against petitioner no. 2 to 10, this Court directs, in the event of their arrest or surrender within a period of four weeks from today, the petitioners above-named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 294 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



And further condition that the court below shall verify the criminal antecedent of the petitioner no. 2 to 10 and in case at any stage it is found that the petitioner no. 2 to 10 have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner no. 2 to 10. 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

