

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7501 of 2021

Arising Out of PS. Case No.-322 Year-2019 Thana- DINARA District- Rohtas

1. KUSH KUMAR SINGH @ KUSH SINGH S/O HARERAM SINGH
RESIDENT OF VILLAGE-BHANPUR P.S.DINARA , DISTRICT-
ROHTAS AT SASARAM
2. HARERAM SINGH S/O SRI BHAGWAN SINGH RESIDENT OF
VILLAGE-BHANPUR P.S.DINARA , DISTRICT-ROHTAS AT
SASARAM
3. BADAL KUMAR SINGH @ BADAL KR. SINGH S/O SANJAY SINGH
RESIDENT OF VILLAGE-BHANPUR P.S.DINARA , DISTRICT-
ROHTAS AT SASARAM

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-08-2021 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.

The petitioners are apprehending their arrest in Dinara
P.S. Case No. 322 of 2019 registered for the offence under
Sections 147, 148, 149, 323, 307, 379, 447, 504 and 506 of the
Indian Penal Code.

Allegedly, the accused persons having armed at the door of



informant and asked for money to take wine. On protest, the accused persons assaulted the informant as a result of which, he sustained bleeding injury. On hearing noise, other accused persons having armed also came there abusing.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. The specific allegation of assault is alleged against co-accused Bhagwan Singh and Ranjay Singh. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on



their personal bond to the satisfaction of learned Chief Judicial Magistrate, Rohtas in connection with Dinara P.S. Case No. 322 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners 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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