

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24083 of 2021

Arising Out of PS. Case No.-250 Year-2020 Thana- EKANGARSARAI District- Nalanda

1. GULANI SINGH @ GULABI SINGH Son of Shyamdeo Singh Resident of Village - Koshiyawan, P.S. - Ekangarsarai, District - Nalanda.
2. Alok Singh Son of Sadhu Singh Resident of Village - Debpura, P.S.- Rahui, District - Nalanda.
3. Upendra Singh Son of Late Gulab Singh Resident of Village - Patibigha, P.S.- Islampur, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-04-2022 This matter has been taken up for out of turn hearing as the application was filed about a year ago and not even for once has it been taken up for consideration.

Mr. Lal Babu Singh, learned Advocate for the petitioner seeks permission to withdraw the application with respect to petitioner no. 1, who has been arrested during the pendency of this case.

The petition with respect to petitioner no. 1 is dismissed as having become infructuous.

The petitioner no. 2 seeks bail in anticipation of his arrest in connection with Ekangarsarai P.S. Case No. 250 of



2020 instituted for the offences under Sections 341, 323, 325, 338, 307, 504, 506 and 34 of the Indian Penal Code.

The learned counsel for the petitioner has submitted that the main accusation of assaulting the informant and his son is on one Shyamdeo Singh, who has been granted bail by the court below.

It has further been submitted that though the petitioner no. 2 has been named in the FIR and has also been attributed with the role of assaulting the victims but such accusation is absolutely general and omnibus in nature.

Considering this aspect of the matter, one of the other accused persons of this case *viz.* the wife of aforesaid Shyamdeo Singh, she has been granted anticipatory bail by this Court in Cr. Misc. No. 19898 of 2021 *vide* order dated 04.04.2022.

It has further been submitted that because the petitioner no. 2 happens to be the son-in-law of aforesaid Shyamdeo Singh, he too has been made accused in this case.

Regard being had to the afore-noted submissions, the petitioner no. 2 (Alok Singh) is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail



bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Ekangarsarai P.S. Case No. 250 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

While saying so the Court has taken note of the fact that the petitioner no. 2 does not have criminal antecedents.

(Ashutosh Kumar, J)

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