

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15905 of 2022

Arising Out of PS. Case No.-304 Year-2020 Thana- SHERGHATI District- Gaya

1. ANANT KUMAR SINGH Son of Late Pratap Singh Resident of Village- Kathar, Police Station- Sherghati, District- Gaya.
2. Upendra Singh Son of Late Ranjeet Singh Resident of Village- Kathar, Police Station- Sherghati, District- Gaya.
3. Abhishek Kumar Son of Anuj Kumar Singh Resident of Village- Kathar, Police Station- Sherghati, District- Gaya.
4. Shashibhushan Singh Son of Upendra Singh Resident of Village- Kathar, Police Station- Sherghati, District- Gaya.
5. Anuj Kumar Singh S/o Late Ranjeet Singh Resident of Village- Kathar, Police Station- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA HIGH COURT PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar
For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 341, 323, 308, 504, 506, 379/34 of the Indian Penal Code.

Allegedly, the petitioners assaulted the informant and his



family members, due to which they sustained several injuries and during the occurrence they also snatched gold chain and fled away.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to enmity. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both sides sustained injuries. There is an admitted land dispute between the parties. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that there is a specific allegation of assault against petitioner no.4 namely Shashibhushan Singh upon Shakti Singh.

Having regard to the facts and circumstances of the case, since there is specific overt act against the petitioner no.4, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, since there is no specific overt act against the petitioner nos. 1, 2, 3 and 5 and the injuries are simple in nature,



let the above named petitioner nos. 1, 2, 3 and 5 be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Sherghati P.S. Case No.304 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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