

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19153 of 2022

Arising Out of PS. Case No.-318 Year-2021 Thana- MANSI District- Khagaria

1. Kunilal Singh S/O Late Shiwan Singh R/O Village- Shaharkundi, P.S.- Mansi, District- Khagaria
2. Shwet Kumar S/O Kunilal Singh R/O Village- Shaharkundi, P.S.- Mansi, District- Khagaria
3. Gulshan Kumar S/O Kunillal Singh R/O Village- Shaharkundi, P.S.- Mansi, District- Khagaria
4. Pritam Singh S/O Karmvir Singh R/O Village- Chaidha, P.S.- Maheshkhunt, District- Khagaria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ranjeet Kumar Singh
For the Opposite Party/s :	Mr. Uma Shankar Prasad Singh
	Mr. Anuj Kumar
	Mr. Abhinav Ashok
	Mr. Aditya Pandey
	Mr. Shyam Kishore

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-09-2022 The learned counsel for the petitioners at the outset seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.1, who has been arrested by the police during pendency of the present petition.

Permission is accorded.

Accordingly, instant petition is dismissed as withdrawn as having become infructuous.

Heard learned counsel for the rest petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a



case registered for the offences punishable under Sections 341, 323, 354(B), 504, 379, 435 and 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 29.11.2021 at about 8.00 A.M. when she had gone to her field when the accused persons including the petitioners came variously armed and started abusing her. It is further alleged that on orders of Kunilal Singh, the petitioner nos.2 and 3 assaulted her with an iron rod causing injury. Thereafter, the accused persons including the petitioners dragged her out of the field and disrobed her and Kunilal Singh tore off her blouse and misbehaved, the accused persons fled away when villagers gathered.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that on account of land dispute, the informant has instituted the present F.I.R. falsely alleging that petitioners assaulted her. It is also submitted that the date of occurrence is 29.11.2021 and the F.I.R. was instituted on 02.12.2021 i.e. after a delay of four days without any plausible explanation. It is also submitted that from perusal of the Annexure-2, it would manifest that the Circle Officer has recorded that informant has no right on the land in question. It is next submitted that even the injuries suffered by the informant is simple in nature.

The learned counsel for the informant as well as the



learned Additional Public Prosecutor opposes the anticipatory bail application, but are not able to rebut the submission of the learned counsel for the petitioners that the F.I.R. was instituted after a delay of four days and that the injuries are simple in nature.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mansi P. S. Case No.318 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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