

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19169 of 2022**

Arising Out of PS. Case No.-262 Year-2020 Thana- CHHATAPUR District- Supaul

1. DINESH SINGH Son of Vishundhari Singh Resident of Village - Jakhargadh, P.S.- Chhatapur, Distt.- Supaul.
2. Sanjay Singh @ Sanjay Kumar Singh Son of Bhola Singh Resident of Village - Jakhargadh, P.S.- Chhatapur, Distt.- Supaul.
3. Pitambar Singh Son of Late Pachu Singh Resident of Village - Jakhargadh, P.S.- Chhatapur, Distt.- Supaul.
4. Lalbahadur Singh Son of Bhola Singh Resident of Village - Jakhargadh, P.S.- Chhatapur, Distt.- Supaul.
5. Krityanand Singh Son of Late Kushumlal Singh Resident of Village - Jakhargadh, P.S.- Chhatapur, Distt.- Supaul.
6. Nirmala Devi W/o Dinesh Singh Resident of Village - Jakhargadh, P.S.- Chhatapur, Distt.- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh
For the Opposite Party/s : Mr. Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 18-08-2022 Heard learned counsel for the petitioners and learned APP
for the State.

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.

After some arguments, learned counsel for the petitioner no.1 seeks permission to withdraw this application.



Permission is granted.

Accordingly, the instant application for petitioner no.1 is dismissed as withdrawn.

However, petitioner no.1 is directed to surrender before the learned Court below and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law.

Now, this application is being heard with regard to petitioner nos. 2, 3, 4, 5 and 6 only.

Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 341, 323, 324, 307, 504, 506, 34 of the Indian Penal Code.

Allegedly, the petitioners with other co-accused persons assaulted the informant by means of lathi and threw him on the ground, due to which he sustained injuries. When the wife of the informant came to rescue him, accused petitioner Dinesh Singh and Nirmala Devi brutally assaulted her.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case at the instance of their enemies. The allegation leveled against the petitioners is not specific rather



general and omnibus in nature. There is no specific overt act against the petitioners. There is an admitted land dispute between the parties. The police has filed a charge sheet against the petitioners under section 308 and other sections of Indian Penal Code. Petitioner no.2, 3 ,4 and 5 are the co-villagers and petitioner no.6 is the wife of the petitioner no.1. The injuries are simple in nature Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since the injuries are simple in nature, let the petitioner nos. 2, 3, 4, 5 and 6 named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 connection with Chhatapur P.S Case No.262 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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