

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22944 of 2022**

Arising Out of PS. Case No.-155 Year-2020 Thana- SIGAUDI District- Patna

1. Kamlesh Yadav @ Kamlesh Singh, S/O Chandradeo Yadav @ Chandradeo Singh, R/o village- Kodahari, P.S.- Sigori, District- Patna
2. Nagendra Kumar, S/o Chandradeo Yadav @ Chandradeo Singh, R/o village- Kodahari, P.S.- Sigori, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                    |
|--------------------------|---|--------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Y. C. Verma, Sr. Advocate<br>Mr. Arvind Prasad Singh, Advocate |
| For the Opposite Party/s | : | Mr. Zainul Abedin, APP                                             |
| For the Informant        | : | Mr. Parsuram Singh, Advocate                                       |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      08-08-2022                      Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Y.C. Verma, learned senior counsel appearing on behalf of the petitioners, Mr. Parsuram Singh, learned counsel for the informant and learned APP for the State.

The petitioners seek regular bail, who are in custody in connection with Sigori P.S. Case no. 155 of 2020 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 325, 307, 504 and 506 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 05.09.2020, the son of the petitioner no.1 came at the house of



the informant along with some other boys and thereafter the mother of the informant asked him for withdrawing from there, as he was suffering from Corona disease, for that he became angry and called his other family members, as named in the F.I.R. Thereupon all the F.I.R. named accused persons brutally assaulted the parents of the informant by means of Lathi, Danda and Iron rod and other sharp cutting weapons, causing serious injuries.

Learned senior counsel appearing on behalf of the petitioners submits that there is general and omnibus nature of allegation against all the F.I.R. named accused persons and no specific allegation has been attributed against the petitioners. It is further submitted that in fact on account of some trifling matter, free fight took place between the parties, which resulted into the lodging of the case and counter case. So far the counter case is concerned, the same has been instituted by petitioner no.1 wherein Sigori P.S. case no. 154 of 2020, which is instituted prior to the present one. It is next submitted that the injuries, which have allegedly sustained to the father and mother of the informant, have been found to be simple in nature and in support of the aforesaid contention, the injury report is brought on record by way of Annexures- 3 and 4. It is next submitted



that these petitioners are man of fair antecedent and petitioner no.1 is in custody since 13.12.2021 whereas the petitioner no.2 is in custody since 04.01.2022.

On the other hand, learned counsel for the informant vehemently opposes the bail application and submits that all the accused persons in furtherance of common intention brutally assaulted the parents of the informant and there is specific allegation against both of them.

Learned counsel for the State also opposes the bail application.

Having regard to the submissions made on behalf of the parties and considering the general and omnibus nature of allegation, apart from the fact that there is a counter version of the present case instituted by petitioner no.1 in earlier point of time, inasmuch as the petitioners having fair antecedent and are in custody since 13.12.2021 and 04.01.2022 respectively and the investigation of the crime is already completed and charge-sheet has been submitted, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III,



Danapur, Patna in connection with Sigori P.S. Case No. 155 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

(i) The petitioners will cooperate in conclusion of the trial.

(ii) They will remain present on each and every date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

**(Harish Kumar, J)**

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