

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26434 of 2022

Arising Out of PS. Case No.-556 Year-2012 Thana- NAWADA District- Nawada

1. UDAY SINGH SON OF RAMAUTAR PRASAD SINGH Resident of Village - Lakhmohna, P.s.- Akbarpur, Distt.- Nawada.
2. Chunchun Singh Son of Uday Singh Resident of Village - Lakhmohna, P.s.- Akbarpur, Distt.- Nawada.
3. Ramanuj Singh Son of Lal Narain Singh Resident of Village - Badhauna, P.s.- Hisua, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-11-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147,148,149,307,504,387,506,337,427 of IPC and 27 Arms Act.

The informant Sukhdeo Prasad Singh is the Principal of Modern English School, New Area, Nawada. He made allegation that the accused persons named in the FIR including



the petitioners along with 15-20 other persons entered into the school. They were equipped with rifle and pistol and were making pressure upon the Principal to close the school. Co-accused Anil Singh and Ajay Singh demanded Rs. 50, 000/- in lieu of running the school. The accused persons ransacked the articles of the school.

Learned counsel for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. He further submits that the police after investigation submitted final form in favour of the petitioners but the learned court below differed with the finding and has taken cognizance against the petitioners. Further submits that co-accused persons namely Shambhu Saran @ Shambhu Singh and Diwakar Singh @ Diwakar Kumar have been granted anticipatory bail vide Cr.Misc. No.56884 of 2019 under order dated 11.09.2019 and similarly situated co-accused Anil Singh has also been granted anticipatory bail vide Cr. Misc No.233 of 2020 under order dated 18.02.2020 by the coordinate Benches of this Court and several other accused persons have also been granted bail by different Coordinate Benches of this Hon'ble Court vide order at Annexure-2 series and the case of the petitioners is similar footing.



Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten 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 Nawada Town P.S. Case No.556 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at



any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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