

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28703 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- SURYAGARHA District- Lakhisarai

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1. RAMBILAS SINGH S/o Late Laryug Singh @ Saryug Singh
 2. Ritesh Kumar S/o Rambilas Singh
 3. Rupesh Kumar S/o Rambilas
All Resident of Village - Salampur, P.S.- Suryagarha (Manik), District-
Lakhisaria
- Petitioner/s
- Versus
- The State of Bihar
- Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Anwar Karim, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioners apprehend their arrest in a case registered
for the offences punishable under Sections 341, 323, 379, 504 and
506/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that petitioners
are persons with clean antecedent.

Allegation is of snatching Rs.1,90,000/- from the
informant outside the bank which was given to him by his cousin
after withdrawing the same. Further, Rupesh Kumar (petitioner no. 3)
fired at the brother of the informant who came to save him. It is
alleged that accused Rambilash Singh (petitioner no. 1) resorted to



firing from his house when the informant along with others reached there.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and the petitioner no. 2 and 3 are sons of petitioner no. 1 and the wife of petitioner no. 1 had sold 25 quintals of paddy to the PACS of which the informant is the Chairman and there was a dispute with regard to the payment of the same as the informant despite accepting paddy from the wife of the petitioner no. 1 was not making payment. Learned counsel further submits that informant and the petitioners were known to each other and it absolutely does not stand to reason that if petitioners had to commit an occurrence they would not have committed themselves creating evidence against themselves as informant would have easily recognized them. He next submits that since there was a dispute relating to payment of paddy with the wife of the petitioner no. 1, as such, the present false case came to be instituted alleging that Rupesh Kumar (petitioner no. 3) fired at the brother of the informant but then there is no firearm injury. He also submits that in order to give a more serious color to the case, it is alleged that when the informant along with others went to the house of the petitioners, petitioner no. 1 resorted to firing from his rooftop but then no empty cartridges were recovered from the place of occurrence. He further submits that from the impugned order also it manifests that it does not record any firearm injury was caused to the



brother of the informant or any of the villagers who had accompanied the informant to the house of the petitioners.

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

Considering the submissions made by the learned counsel for the petitioners and the fact that petitioners are persons with clean antecedent, 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, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Suryagarha (Manikpur) P.S. Case No. 06 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/Gaurav

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