

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25439 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. SANJAY SINGH S/O LADDU SINGH R/o village- Mohanpur, Ward No. 10, P.S.- Mufassil, District- Begusarai
 2. Ravi Shankar Singh S/o Sanjay Singh R/o village- Mohanpur, Ward No. 10, P.S.- Mufassil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 29675 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

-
1. BABLU SINGH Son of Laddu Singh Resident of Village - Mohanpur Ward no.10, P.s.- Begusarai Muffasil, Distt.- Begusarai.
 2. FUCHCHO SINGH Son of Late Nunu Singh Resident of Village - Mohanpur Ward no.10, P.s.- Begusarai Muffasil, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 25439 of 2022)

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

For the Informant : Mr. Sandip Kumar Gautam, Advocate

(In CRIMINAL MISCELLANEOUS No. 29675 of 2022)

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-11-2022

In Cr. Misc. No. 25439 of 2022

Heard learned counsel for the petitioners, the
informant 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 147, 341, 323, 307, 379, 504, 337 and 338 of the Indian Penal Code.

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

The informant alleges that on 08.01.2022 when he was at his home the accused persons including the petitioners came variously armed and started abusing him. It is alleged that on order of Fuchcho Singh all the accused assaulted the informant with brick and stone causing injury on his head. Prince Kumar was assaulted by Fuchcho Singh with brick on account of which he fell down and Bablu Singh assaulted on the head of the informant's father. It is further alleged that petitioners entered into the house of the informant and took out Rs.17,500/- from his almirah.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that on account of dispute relating to passage, the alleged occurrence is said to have taken place. It is next submitted that the date of occurrence is 08.01.2022 and the FIR came to be instituted on 17.01.2022 i.e. after a delay of nine days without any plausible explanation. It is also submitted that



as far as petitioners are concerned, the allegation against them is ornamental of taking Rs.17,500/- from the almirah of the informant.

Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for anticipatory bail of the petitioners.

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, 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 Begusarai Mufassil P.S. Case No. 23 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

In Cr. Misc. No. 29675 of 2022

Learned counsel for the petitioners at the outset seeks permission to withdraw the prayer for anticipatory bail of petitioner no. 2, namely, Fuchcho Singh.

Permission is accorded.

Heard learned counsel for the petitioner no. 1 and



learned A.P.P. for the State.

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

The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 379, 504, 337 and 338 of the Indian Penal Code.

Learned counsel for the petitioner no. 1 submits that petitioner no. 1 is a person with clean antecedent.

The informant alleges that on 08.01.2022 when he was at his home the accused persons including the petitioner no.1 came variously armed and started abusing him. It is alleged that on order of Fuchcho Singh all the accused assaulted the informant with brick and stone causing injury on his head. Prince Kumar was assaulted by Fuchcho Singh with brick on account of which he fell down and Bablu Singh assaulted on the head of the informant's father. It is further alleged that petitioner no. 1 including the other accused entered into the house of the informant and took out Rs.17,500/- from his almirah.

Learned counsel for the petitioner no. 1 submits that petitioner no. 1 has been falsely implicated in the present case. It is further submitted that the date of occurrence is 08.01.2022 and the FIR came to be instituted on 17.01.2022 i.e. after a



delay of nine days without any plausible explanation. It is next submitted that as far as petitioner no. 1 is concerned, he is alleged to have assaulted the father of the informant whose injury is simple in nature.

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

Considering the submissions made by the learned counsel for the petitioner no. 1, the petitioner no. 1 above-named, in the event of his 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) 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 Begusarai Mufassil P.S. Case No. 23 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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