

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43384 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- HATHUA District- Gopalganj

1. SANDEEP KUMAR SINGH @ SANDEEP KR. Son of Ramesh Singh @ Ramesh Kr. Singh Resident of Village - Mirzapur, P.S.- Hathwa, District - Gopalganj.
2. Tej Singh Son of Ramesh Singh @ Ramesh Kr. Singh Resident of Village - Mirzapur, P.S.- Hathwa, District - Gopalganj.
3. Mantu Kumar Singh Son of Ramesh Singh @ Ramesh Kr. Singh Resident of Village - Mirzapur, P.S.- Hathwa, District - Gopalganj.
4. Rohit Kumar Singh Son of Ramesh Singh @ Ramesh Kr. Singh Resident of Village - Mirzapur, P.S.- Hathwa, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Rakesh
For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 07-04-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner no.4 Rohit Kumar Singh has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.4.

In view of the aforesaid submission, the application is



dismissed as withdrawn as having become **infructuous as against petitioner no.4.**

Petitioner nos. 1,2 and 3 apprehends their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 354, 379, 504 and 506 of the Indian Penal Code, registered in connection with Hathwa P.S.Case No. 63 of 2021.

As per allegation, nine accused persons named in the FIR including the petitioners along with two unknown persons attacked the informant, his son and wife. They badly assaulted them.

The learned counsel for the petitioners has submitted that both the parties are agnates and there is land dispute between the parties. A title suit between the parties is also pending. The petitioners have falsely been implicated due to that land dispute. He has submitted further that all the injuries are simple in nature, except one injury on the person of Devnath Singh which is grievous in nature, but it has not been specifically attributed against the petitioners, rather the allegation is general and omnibus.

The learned APP Mr. J.N Thakur, assisted by the learned counsel for the informant has submitted that allegation against all the accused persons is that they badly assaulted the



informant and his family members and one injury is grievous.

Considering that the grievous injury is not attributed specifically against the petitioners, rather it has been attributed as general and omnibus, let petitioner nos. 1, 2 and 3 namely, Sandeep Kumar Singh @ Sandeekp Kr., Tej Singh and Mantu Kumar Singh, respectively, in the event of their arrest or surrender within four weeks from the date of communication of this 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 CJM, Gopalganj in connection with Hathwa P.S.Case No. 63 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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