

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44897 of 2021

Arising Out of PS. Case No.-78 Year-2021 Thana- PANCHRUKHI District- Siwan

1. Biresh Kumar @ Biresh Kumar Singh @ Bulet Singh, S/o - Dhananjay Singh.
2. Brajesh Singh @ Brajesh Kumar Singh @ Brijesh Singh, S/O Dhananjay Singh.
3. Abhishek Singh @ Abhishek Kumar Singh @ Guddu Singh S/o Akhilesh Singh @ Akhlieshwar Singh.
4. Chandrashekhar Singh, S/o- Kamdeo Singh.
5. Prabhat Kumar Singh S/o- Satya Ram Singh.
6. Arun Kumar Singh S/o - Akhilesh Singh.

All are R/o Village - Alapur, P.S.- Pachrukhi, District - Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Devendra Kumar Sinha, Senior Advocate Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Sri Nandan Prasad Singh, Senior Advocate Mr. Ramadhar Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 13-04-2022

Heard learned counsel for the parties.

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

This application for anticipatory bail arises out of Panchrukhi P.S. Case No. 78 of 2021 for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 504 and 506 of the Indian Penal Code.



The petitioner nos. 1 and 2 are said to have assaulted the victim causing serious/grievous injuries and the victim was hospitalized in PMCH for a month. The petitioner nos. 1 and 2 have criminal antecedents also.

Considering the aforesaid facts, this bail application on behalf of petitioner nos. 1 and 2, above named, is dismissed. However, if the petitioner nos. 1 and 2 surrender in the Court below within a period of four weeks from today and pray for regular bail, the Court below shall consider and decide the same in accordance with law without being influenced by the present order.

So far as the bail of petitioner nos. 3 to 6 is concerned, the same is allowed considering the fact that there are general and omnibus allegations against them.

Let the petitioner nos. 3 and 6, above named, in the event of their arrest/surrender within four weeks from today in the Court below, 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 the learned A.C.J.M.-VI, Siwan, in connection with Pachrukhi P.S. Case No. 78 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



This is also subject to the condition that at the time of furnishing the bail bonds, the petitioner nos. 3 to 6, above named, will file separate affidavits giving undertaking that until and unless any order is passed in civil proceeding, they will not disturb the prosecution side in their possession of land and violation of the terms of bail will result in automatic cancellation of bail bonds of the petitioner nos. 3 to 6.

(Sandeep Kumar, J)

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