

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50489 of 2021

Arising Out of PS. Case No.-65 Year-2021 Thana- JADOPUR District- Gopalganj

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PUNA SINGH @ DHIRAJ SINGH @ DHIRAJ KUMAR SINGH, aged about 24 years, Gender-Male, Son of Sanjay Singh, Resident of Village - Khawajepur, P.s.- Jadopur, Distt.- Gopalganj.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Binay Kumar, Advocate

For the Opposite Party : Mr. Arun Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2022 Heard learned counsel for the petitioner and learned counsel for the State through Virtual mode.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in connection with Jadopur P.S. Case No. 65 of 2021 arising out of G.R. Case No. 1706 of 2021 for the offence registered under Sections 147, 148, 149, 341, 323, 324, 307, 302 and 504 of the I.P.C.

The prosecution story, in brief, is that on 07.05.2021, *Barat* of Acche Lal's daughter came in his village, at the same time, there was hot talk between Mithun Chauhan and Vivek



Singh for sitting on the chair for which on 09.05.2021 at about 2.00 P.M. Puna Singh (petitioner) alongwith 29 known and 50 unknown persons came at the informant's door with lathi, stick, stone, brick, sword, axe, rod and farsa and started abusing and assaulted the informant and his villagers with lathi, stick and sword. Co-accused Bipin Singh having deadly weapon Farsa assaulted on the head of the informant's father upon which, his father sustained injury and started oozing blood from the head and ear of his father and his father fell on the ground and the rest people were fighting with stick and lathi and thereafter when the informant's father became unconscious, all accused persons fled away. The father of the informant was brought to Sadar Hospital, Gopalganj for treatment and from where he was referred to Gorakhpur Hospital, but during transit to Gorakhpur, his father died.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The specific allegation of assault is alleged against the co-accused, namely, Bipin Singh who is alleged to have assaulted the father of the informant. So far petitioner is



concerned, general and omnibus allegation has been made against him. No specific overt act is alleged against the petitioner. Altogether 30 named persons alongwith 50 unknown have been made accused in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve 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 J.M. Ist Class, Gopalganj, in connection with Jadopur P.S. Case No. 65 of 2021, G.R. No. 1706/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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