

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51323 of 2021**

Arising Out of PS. Case No.-136 Year-2021 Thana- KARAHGAR District- Rohtas

Lakhan Kumar @ Lakhan Singh S/O Uma Shankar Singh R/O Village-  
Tendua, P.S-Barhari, District-Rohtas At Sasaram.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 51405 of 2021**

Arising Out of PS. Case No.-136 Year-2021 Thana- KARAHGAR District- Rohtas

1. Upendra Kumar @ Upendra Singh Son of Uma Shankar Singh Resident of  
Village- Tendua, P.S.- Barhari O.P., District- Rohtas at Sasaram.
2. Nand Lal Singh Son of Narayan Singh @ Ramayan Singh Resident of  
Village- Tendua, P.S.- Barhari O.P., District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 51323 of 2021)

For the Petitioner/s : Mr.Raghunandan Kumar Singh

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

(In CRIMINAL MISCELLANEOUS No. 51405 of 2021)

For the Petitioner/s : Mr.Raghunandan Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      30-03-2022                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be  
removed within four weeks of start of normal functioning of the  
physical court.



Petitioners seek bail in a case registered for the offences punishable under Sections 341, 323, 307, 354, 379/34 of the Indian Penal Code.

According to prosecution case, on the basis of written application of the informant Nirmala Kuer, while the informant's daughter-in-law was plucking vegetable, meanwhile, the informant's villagers Pappu Singh, Upendar Singh, Lakhan Singh jointly assaulting her due to which she sustained fractured of head injury and fell down become senseless. When the informant's daughter-in-law Rinu Devi and Gotani Kalawati Devi came in rescue, then Nand Lal Singh, Disu Kumar and Sharvan Kumar brutally assaulted Kalawati Devi and Rinu Devi by means of Lathi, Danda and snatched away golden chain worth Rs.20,000/-.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against the petitioners and there is no specific allegation of assault against anyone. He further submits that there is case and counter case in between both the parties and the petitioners party namely Mamta Devi has lodged



a case Kargahar P.S. Case No. 137 of 2021 against the informant and his family members. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 15.06.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Kargahar P.S. Case No. 136 of 2021, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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