

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58705 of 2021

Arising Out of PS. Case No.-92 Year-2020 Thana- CHAUSA District- Madhepura

1. VIKKAY SINGH @ VIKKAY KUMAR SINGH Son of Domi Singh Resident of Village - Laualagan, P.S.- Chausa, Distt.- Madhepura.
2. JHAPPO SINGH @ DHANANJAY KUMAR SINGH S/o- Suresh Singh Resident of Village - Laualagan, P.S.- Chausa, Distt.- Madhepura.
3. AMOD SINGH Son of Uchit Singh Resident of Village - Laualagan, P.S.- Chausa, Distt.- Madhepura.
4. MITHILESH SINGH Son of Sudhir Singh Resident of Village - Laualagan, P.S.- Chausa, Distt.- Madhepura.
5. SHRIKANT SINGH Son of Late Sukho Singh Resident of Village - Laualagan, P.S.- Chausa, Distt.- Madhepura.
6. SINTU SINGH @ SINTU KUMAR Son of Brajesh Singh Resident of Village - Laualagan, P.S.- Chausa, Distt.- Madhepura.
7. SANTOSH SHARMA @ SANTOSH KUMAR SHARMA Son of Shankar Sharma Resident of Village - Bindtola, Gram Panchayat laualagan, P.S.- Chousa, Distt.- Madhepura.
8. NIRMAL SHARMA Son of Shankar Sharma Resident of Village - Bindtola, Gram Panchayat laualagan, P.S.- Chousa, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar 1
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-06-2022 Heard.

The petitioners apprehend their arrest in connection with Chausa P.S. Case No. 92 of 2020, registered for the offence punishable under Sections 447, 341, 323, 307, 354, 379, 504, 506/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having arrived at the door



of the house of the informant on the alleged date and time of occurrence, whereafter they had abused the informant by stating that there is a rumour regarding the daughter of the informant having fled away from the house. It is also alleged that thereafter, the petitioner no.1 had assaulted the informant with fists and slaps and then the other accused persons are stated to have assaulted the cousin and daughter of the informant.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners of having assaulted the informant, his cousin brother and daughter, however, the injury report of the injured persons, annexed as Annexure-2 series to the present petition, would show that the injuries have been found to be simple in nature. It is also submitted that the present case arises out of case and counter case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, taking into consideration the material available on record as also considering the fact



that the present case arises out of case and counter case apart from the fact that the injuries sustained by the members of the prosecution party have been found to be simple in nature and moreover, the petitioners are having a clean antecedent, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioners, above-named, are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned court of S.D.J.M., Udakishunganj (Madhepura) in connection with Chausa P.S. Case No. 92 of 2020, subject to the conditions laid down under section 438(2) of the Cr. P. C.

(Mohit Kumar Shah, J)

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