

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57803 of 2021

Arising Out of PS. Case No.-94 Year-2021 Thana- SAUR BAZAR District- Saharsa

1. ASHOK KUMAR SINGH Son of Siasaran singh Resident of Village- Nado, Ward No. 14, P.S.- Saur Bazar, District- Saharsa.
2. Bipin Kumar Singh Son of Siasaran Singh Resident of Village- Nado, Ward No. 14, P.S.- Saur Bazar, District- Saharsa.
3. Dilip Kumar Singh Son of Siasaran Singh Resident of Village- Nado, Ward No. 14, P.S.- Saur Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners are apprehending their arrest in connection with Sour Bazar P.S. Case No. 94 of 2021 registered under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code.

As per prosecution case, petitioners along with five



other persons have come to the *darwaza* of the informant and have indiscriminately assaulted the informant as well as Ramesh Singh, Naresh Singh and Mohan Singh when they came to rescue the informant.

The petitioners' counsel submits that informant's mother was living separately from the petitioner, along with the informant. The instant petitioner who is father of the informant, has been falsely implicated because he refused to succumb to some illegal demand made by the informant. The other two accused persons are uncles of the informant. In so far as, injuries caused to Ramesh Singh, Naresh Singh and Mohan Singh are concerned, it is submitted, if at all the same has been sustained, in connection with some other incident, as the injured has not come forward to make any complaint in this regard. The petitioners have no criminal antecedents. The implication is outcome of the strained family relations.

Learned APP has opposed the prayer for bail.

Considering the nature of allegations, the Court is inclined to allow the prayer.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Saharsa in Sour Bazar P.S. Case No. 94 of 2021, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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