

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49223 of 2022

Arising Out of PS. Case No.-19 Year-2020 Thana- KHUSRUPUR District- Patna

-
1. Ashok Singh Son of Shiv Ram Singh @ Bishram Singh, R/o Village- Mosimpur, P.S.- Khusarupur, District- Patna.
 2. Prince Kumar Son of Ashok Singh, R/O Village- Mosimpur, P.S.- Khusarupur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2022 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 a period of four weeks from today.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 341, 323, 354, 379, 427, 504, 506/34 of the Indian Penal Code.

According to prosecution case, in short, is that on 07.01.2020, the complainant was in her house with her family members and in the meantime, all the accused persons entered into her house, started abusing and assaulting the informant and her family members. Petitioner Ashok Singh took the complainant in a room with a bad intention and threw her at the



floor. He also took Rs.5,000/- from the iron box and destroyed the T.V. etc.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the present case is counter blast of Khusrupur P.S. Case No. 114 of 2019 filed by the petitioner Ashok Kumar against the informant and her family members. He further submits that both the parties are Gotia and the informant is the Bhabhi of the petitioner no.1 Ashok Singh and aunt of the petitioner no.2 Prince Kumar. He further submits that there is general and omnibus allegation against all the accused persons including the petitioners and there is no specific allegation of any assault or overt act against the petitioners.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender within a period of four weeks, be released on anticipatory 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 Court below where the case is



pending in connection with Khusrupur P.S. Case No. 19 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also 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)

mdrashid/-

U		T	
---	--	---	--

