

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50579 of 2022

Arising Out of PS. Case No.-128 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

BALDEO SINGH @ BALDEO NARAYAN SINGH S/O LATE MOHAN
SINGH Resident of village- Karisaath, P.S.- Udwantnagar (Gajrajganj O.P.),
District- Bhojpur (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-10-2022 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 307, 341, 323, 504, 506, 109, 147, 148 and 149 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is aged about 72 years and all of a sudden after institution of the present case, he has become a criminal, it is next submitted that the informant alleges that on 23.03.2022 at 7:30 pm, when he was talking with his family members, the accused persons, including the petitioner, came variously armed and thereafter on orders of



Durga Singh, Uday Kumar, Kanhaiya, Rohit, Vinod, Diwakar, Prabhakar and Vishal came with *lathi* and rod and thereafter Himachal Singh also came, it is next alleged that Uday and Kanhaiya caught the cousin brother of the informant and his son and then Uday, Kanhaiya, Vinod, Divakar, Prabhakar, Vishal and Himachal assaulted them with *lathi* and *danda* causing injury on head of Ashish and Arvind suffered injury on his back. It is further alleged that Hariom Singh brought his licensed weapon and fired which hit Ram Prakash Singh who was declared dead on arrival in the hospital.

Learned senior counsel for the petitioner submits that from perusal of the allegations as alleged in the FIR it would manifest that the allegation are specific in nature, it is next submitted that thrust of the allegation is of assaulting by the named accused persons, it is also submitted that as far as allegation of firing is alleged, the same is against Hariom and as far as this petitioner is concerned, he is an old man and he came to be implicated merely because he is family member of the accused. Learned senior counsel submits that no specific overt act has been alleged against him except that he was also present at the place of occurrence along with his family members.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

Considering the submissions made by the learned senior counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six 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 court below where the case is pending/successor court in connection with Udwanthnagar P.S. Case No. 128 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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