

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58844 of 2022

Arising Out of PS. Case No.-341 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. ASHOK SINGH Son of Late Giro Singh Resident of Village- Dhabauli, P.S.- Muffasil(Lakho O.P.), District- Begusarai
 2. Jitendra Singh @ Jitendra Kumar Singh Son of Ashok Singh Resident of Village- Dhabauli, P.S.- Muffasil(Lakho O.P.), District- Begusarai
 3. Kishori Singh @ Kishore Kumar Singh Son of Ashok Singh Resident of Village- Dhabauli, P.S.- Muffasil(Lakho O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 384, 386, 307, 504 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners seeks permission to rectify father's name of petitioner no. 1 in the Cause Title.

Permission is accorded.

The informant alleges that the accused persons including the petitioners came at the field of the informant and



started abusing him on account of extortion of Rs. 5,00,000/-, it is next alleged that on protest the accused persons including the petitioners started firing and in the course of firing two of their associates got injured and the same was done with an intention to implicate the informant, it is next alleged that they threatened the informant's family that they would be killed in case they came on the land without payment of extortion.

Learned counsel for the petitioners submits that the petitioners have antecedent of one case and have been falsely implicated in the present case, it is next submitted that from side of the petitioners also Muffasil (Lakho) P.S. Case No. 340 of 2022 was registered wherein the informant had alleged that accused persons including the informant came on his land and started abusing for not giving extortion of Rs. 5,00,000/- and thereafter Vimlesh, Shailesh and Ram Vinay fired causing injury to Shyam Kishore and Vinay Yadav, further Vinay Yadav was taken to Sadar hospital for treatment. Learned counsel next submits that the present false FIR came to be instituted only for the reason that from the side of the informant firing was done which caused injury to Shyam Kishore and Vinay Yadav. Learned counsel also submits that general and omnibus allegation of firing is alleged against the petitioners. Learned



counsel further submits that in the nature of allegation it would not be prudent to send the petitioners to judicial custody, it is also submitted that arrest is not meant to punish but to ensure that investigation is not hampered. Learned counsel next submits that petitioner will cooperate in the investigation and will present themselves before the investigating officer of the case as and when required so that the truth comes out.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muffasil (Lakho) P.S. Case No. 341 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the investigating officer of the case files an application before the learned trial Court bringing to its notice that the petitioners despite giving assurance to this



Court is not cooperating in the investigation or is not presenting himself when called the learned trial Court after giving an opportunity of hearing to the petitioners shall pass orders in accordance with law and shall also have liberty to cancel his bail bonds.

The learned trial Court is directed to send the copy of this Order to the concerned P.S.

(Satyavrat Verma, J)

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