

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.69218 of 2021**

Arising Out of PS. Case No.-94 Year-2021 Thana- MAHINDWARA District- Sitamarhi

NIRAJ SINGH Son of Nepali Singh @ Ajeet Singh Resident of Village -  
Neuri, P.S. - Mahindwara, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Baidya Nath Prasad

For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA  
ORAL ORDER**

2      23-05-2022                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with  
Mahindwara Police Station Case No. 94 of 2021, registered for  
the offences punishable under Sections 341/332/333/353/307/  
504/34 of the Indian Penal Code.

The prosecution case, as per the First Information  
Report, is that the petitioner was wanted in Mahindwara Police  
Station Case No. 80 of 2021, registered for the offences  
punishable under Section 392 of the Indian Penal Code and the  
police, on the basis of secret information that he has arrived at  
his village home, proceeded to arrest the petitioner and taken  
into their custody, upon which the father, uncle and 10-15  
unknown persons, armed with lathi, danda etc. attacked the



police party and attempted to get the petitioner free from the custody of the police.

Learned Counsel for the petitioner submits that from perusal of the First Information Report, it would be evident that there is no allegation against the petitioner that he attacked the police force and it has been alleged that the family members and other villagers attacked the police force in order to get him freed from the custody of the police. He further submits that the father and uncle of the petitioner has been granted bail by a co-ordinate Bench of this Court, vide order, dated 02.12.2021, passed in Criminal Misc. No. 53442 of 2021. He further submits that the petitioner is in custody since 01.07.2021.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that no overt act has been alleged against the petitioner, co-accused persons, i.e. father and uncle of the petitioner has been granted bail by this Court, and the petitioner is in custody since 01.07.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on



bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Mahindwara Police Station Case No. 94 of 2021.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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