

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5556 of 2023

Arising Out of PS. Case No.-477 Year-2022 Thana- KATEYA District- Gopalganj

1. Nathuni Singh Son Of Nathu Singh R/O Village- Niyamat Guriyaw, P.S.- Kateya, District- Gopalganj, Bihar
2. Haribansh Singh @ Harivans Singh Son Of Nathuni Singh R/O Village- Niyamat Guriyaw, P.S.- Kateya, District- Gopalganj, Bihar
3. Radheshyam Singh Son Of Nathuni Singh R/O Village- Niyamat Guriyaw, P.S.- Kateya, District- Gopalganj, Bihar
4. Santosh Singh Son Of Nathuni Singh R/O Village- Niyamat Guriyaw, P.S.- Kateya, District- Gopalganj, Bihar
5. Ajay Singh Son Of Radheshyam Singh R/O Village- Niyamat Guriyaw, P.S.- Kateya, District- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-04-2023 Learned counsel for the petitioners submits that the petitioner no. 4 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 4.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no. 4.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State for consideration of bail with regard to rest of the petitioners.



The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 341, 323, 325, 307, 504, 506 of the Indian Penal Code.

Petitioners are said to have assaulted the informant and his sister-in-law by means of lathi, danda and khanti.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the petitioners and the informant are agnates and there is a long standing land dispute between the parties. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is case and counter case between the parties. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Kateya P.S. Case No. 477 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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