

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10697 of 2023

Arising Out of PS. Case No.-29 Year-2021 Thana- MADHUBAN District- East Champaran

1. VIKU KUMAR SINGH @ BIKU KUMAR SON OF SHYAM KUMAR SINGH R/O VILL.- MOGALNIYA, P.S.- MADHUBAN, DISTT.- EAST CHAMPARAN AT MOTIHARI
2. BHUNTUL KUMAR SINGH @ VIKRAM KUMAR SON OF SHYAM KUMAR SINGH R/O VILL.- MOGALNIYA, P.S.- MADHUBAN, DISTT.- EAST CHAMPARAN AT MOTIHARI

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mrs. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504, 506 & 120B of the Indian Penal Code.

All the accused persons named in the F.I.R. including these petitioners in furtherance of a common intention holding weapons in their hand are said to have assaulted the informant's brother with farsa, lathi, danda and iron-rod sustaining injury to him and during course of treatment he succumbed to his injuries.

The petitioners are quite innocent and have been



falsely implicated in this case due to previous enmity and land dispute. There is counter case vice Madhuban P.S. Case No.39 of 2021 lodged by the co-accused Shyam Kumar Singh against the informant and others. The allegations levelled against the petitioners is general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, the nature of the allegation and the materials available in the case diary, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

Trivedi/-

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

