

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14280 of 2023

Arising Out of PS. Case No.-672 Year-2020 Thana- AMARPUR District- Banka

1. Nikesh Singh Son of Munna Singh @ Rakesh Singh R/o vill.- Telia, P.S.-
Amarpur Fullidumar, Dist.- Banka
2. Munna Singh @ Rakesh Singh Son of Mani Singh R/o vill.- Telia, P.S.-
Amarpur Fullidumar, Dist.- Banka

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Amarpur (Fullidumar) P.S. Case No. 672 of 2020 registered for the offences punishable under Sections 341, 323, 307, 325, 379, 504, 506/34 of the Indian Penal Code. They have got no criminal antecedent.

As per the prosecution story, on 17.11.2020 when the informant Uday Kumar Singh demanded rent of his tractor from co-accused Manoranjan, he abused him and when he forbade them, all the accused persons assaulted him with lathi and danda which caused fracture of his hand. When the informant's son and nephew came to rescue him, Mayank Singh and Chunnu Singh @ Ankesh Kumar Singh assaulted them on head. It is



alleged that accused Makhan Singh took away Rs.10,000/- from the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that co-accused similarly situated have already been granted privilege of anticipatory bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 23763 of 2021.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case wherein it is submitted that there are general and omnibus allegations against the petitioner, the thrust of the allegations are against the co-accused Chunnu Singh @ Ankesh Kumar Singh and Mayank Singh, the police has not sent up the petitioners for trial but on protest, learned Magistrate has taken cognizance and issued summons against the petitioners and some of the co-accused have been granted privilege of anticipatory bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 23763 of 2021, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with



Amarpur (Fullidumar) P.S. Case No. 672 of 2020 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Banka subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

