

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22059 of 2023

Arising Out of PS. Case No.-244 Year-2022 Thana- BARUN District- Aurangabad

1. Ajay Kumar Singh @ Ajay Singh Son Of Rajendra Singh Resident Of Village - Bagahi, Jay Govind Nagar, P.S. - Barun, Distt. - Aurangabad (BIHAR)
2. Dinesh Singh Son Of Bhiksan Singh Resident Of Village - Bagahi, Jay Govind Nagar, P.S. - Barun, Distt. - Aurangabad (BIHAR)
3. Premchand Singh @ Dinbandhu Kumar Son Of Janeshwar Singh Resident Of Village - Bagahi, Jay Govind Nagar, P.S. - Barun, Distt. - Aurangabad (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2023 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 147, 148, 149, 341, 323, 307, 353, 337, 338, 427, 379 and 411 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that the accused persons including the petitioners attacked the police party while a tractor loaded with illegal sand was seized by the police, it is further alleged that the accused



persons assaulted the police official with *lathi* and *danda* and even pelted stones and got the tractor free and on account of pelting stones, two constables sustained injury.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that no specific overt act has been alleged against any of the petitioners, it is further submitted that even the alleged injury suffered by the injured is simple in nature. The learned counsel submits that the petitioners will not abscond rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer for eliciting the truth.

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 Court below 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 court below where the case is pending/successor court in connection with Barun



P.S. Case No. 244 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioners despite giving assurance to this Court are not cooperating in the investigation or are not presenting themselves when called by the Investigating Officer, then the learned trial court shall be at liberty to cancel their bail bonds after recording reasons.

(Satyavrat Verma, J)

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