

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22442 of 2022

Arising Out of PS. Case No.-359 Year-2021 Thana- WARISLIGANJ District- Nawada

1. CHHOTU SINGH @ CHHOTELAL SINGH @ CHOTI SINGH SON OF LATE KISHUN SINGH R/O VILLAGE- KOCHGAON, P.S.- WARSALIGANJ, DIDSTRIC- NAWADA
2. SHAILENDRA SINGH @ SHALO SINGH SON OF SHYAMLI SINGH R/O VILLAGE- MAFI, P.S.- WARSALIGANJ, DIDSTRIC- NAWADA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Adv. Mr. Amresh Kumar Sinha, Adv. Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s :		Mr.Jai Narain Thakur, APP
For the Informant	:	Mr. Nishikant, Adv. Mr. Madhumay Madhup, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-01-2023 Heard the learned Senior Counsel for the petitioners and the learned APP for the State as also the learned counsel appearing for the informant.

The petitioners seek regular bail in connection with Warsaliganj P.S. Case No. 359 of 2021, registered for the offence punishable under Sections 341, 323, 307, 385 and 506/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners having threatened the informant and his son with dire



consequences while brandishing firearms and then it is alleged that the said accused persons, totalling 15 in all, had assaulted the informant and his son. It is also alleged that the motive for the said occurrence was denial on the part of the informant and his son to pay extortion money to the accused persons.

The learned Senior Counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are languishing in custody since 21.2.2022. It is also submitted that though the petitioners are accused in one another criminal case but they are on bail in the said case. The learned Senior Counsel for the petitioners has further submitted that the petitioners are an accused in one other case, but they are on bail in the said case. It is further submitted that a general and omnibus allegation has been levelled against all the accused persons and as far as the petitioners are concerned, they have not been alleged to have



engaged in any sort of specific overt act.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned Senior Counsel for the petitioners and taking into account the materials on record as also considering the materials available in the case diary, this Court finds that a general and omnibus allegation has been levelled against all the accused persons and as far as the petitioners are concerned, there is no specific allegation of them having engaged in any sort of overt act, hence, I deem it fit and proper to admit the petitioners to the privilege of bail, however, subject to the condition that they shall appear on each and every date so fixed by the Ld. trial court, in the ongoing case and in case of any default, the present privilege of bail, being granted to the petitioners herein, shall stand cancelled automatically and



they shall be taken into custody forthwith.

Accordingly, the above named petitioners are directed to be enlarged on 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 learned ACJM, II, Nawada in connection with Warsaliganj P.S. Case No. 359 of 2021.

(Mohit Kumar Shah, J)

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