

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28299 of 2023

Arising Out of PS. Case No.-398 Year-2022 Thana- SIDHWALIYA District- Gopalganj

1. CHANDAN SINGH Son of Madan Singh Resident of village - Chandprana, P.S. - Sidhwaliya, Distt. - Gopalganj
2. ARVIND SINGH @ ARVIND KUMAR SINGH Son of Hareram Singh Resident of village - Chandprana, P.S. - Sidhwaliya, Distt. - Gopalganj
3. KRISHNA KANT SINGH @ KRISHNA KANT Son of Hareram Singh Resident of village - Chandprana, P.S. - Sidhwaliya, Distt. - Gopalganj

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-07-2023 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 Sidhwaliya P.S. Case No. 398 of 2022 registered for the offences punishable under Sections 341, 323, 504, 307, 506, 34 of the Indian Penal Code. They have no criminal antecedent, but after institution of the present case, there is one criminal antecedent against petitioner no. 1 namely, Chandan Singh being Sidhwaliya P.S. Case No. 54/2023.

As per the prosecution story, the informant has alleged that on 08.11.2022, all the accused persons - petitioners assaulted him by means of lathi, bhala and farsa with an



intention to kill him, when his mother came to save him the accused namely Krishna Kant Singh assaulted her with Lathi and has taken away some cash also.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that there is a land dispute between the parties and the injury caused to the informant and his mother is simple injury.

Learned A.P.P. 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 in a case of land dispute the alleged occurrence is said to have taken place and the injury report of the informant would show that he has suffered a simple injury said to have been caused by hard and blunt object, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of Smt. Babita Singh, Judicial Magistrate - 1st Class, Gopalganj in connection with Sidhwaliya P.S. Case No. 398 of 2022, 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.

(Rajeev Ranjan Prasad, J)

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