

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30246 of 2023

Arising Out of PS. Case No.-122 Year-2021 Thana- SANGRAMPUR District- East
Champaran

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1. Santosh Singh S/O Nandlal Singh Resident Of Village- Sabalpur, P.S.- Sangrampur, District- East Champaran
 2. Ranjeet Singh S/O Late Banka Singh Resident Of Village- Sabalpur, P.S.- Sangrampur, District- East Champaran
 3. Ritik Kumar @ Ritik Ranjan S/O Santosh Singh Resident Of Village- Sabalpur, P.S.- Sangrampur, District- East Champaran
 4. Bitu Singh @ Bitu Kumar Singh S/O Nandlal Singh Resident Of Village- Sabalpur, P.S.- Sangrampur, District- East Champaran
 5. Gariba Yadav @ Gariba Rai S/O Late Raj Kumar Yadav Resident Of Village- Sabalpur, P.S.- Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners, the learned APP for the State as well as learned counsel for the informant.

2. The petitioners are apprehending their arrest in connection with Sangrampur P.S. Case No. 122 of 2021, registered for the offence punishable under Sections 341, 323, 324, 325, 308, 379, 504, 506/34 of the Indian Penal Code.

3. It is alleged that the petitioners have formed an unlawful assembly and arrived at the place with weapons. The



specific assault is alleged against Santosh Singh (petitioner no.1) as well as Gariba Yadav (petitioner no. 5).

4. The learned counsel for the petitioners submits that the other accused (petitioners) have been named in the offence due to extraneous considerations. The petitioners other than petitioner no. 5 have no antecedents.

5. The learned APP for the State along with learned counsel for the informant have opposed the prayer for bail. It is stated that specific assault is attributed against co-accused Gariba Yadav (petitioner no. 5) and Santosh Singh (petitioner no.1).

6. Considering the rival submissions, nature of allegations, manner of implication as also the fact that petitioner nos. 2, 3 and 4 are only member of the mob, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail on behalf of the petitioner nos. 2, 3 and 4, is allowed.

7. Accordingly, let the petitioner Nos, 2, 3, and 4, namely, Ranjeet Singh, Ritik Kumar @ Ritik Ranjan and Bitu Singh @ Bitu Kumar Singh, in the event of their arrest or



surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M, East Champaran at Motihari, in connection with Sangrampur P.S. Case No. 122 of 2021, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also the following conditions:

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

8. In so far as the petitioner nos. 1 and 5, namely, Santosh Singh and Gariba Yadav @ Gariba Rai, are concerned, this court, considering the rival submissions, nature of allegation as also the fact that specific allegation of assault is attributed



against them, is inclined to accept the submissions advanced on behalf of the learned APP for the State as well as learned counsel for the informant.

9. Prayer for pre-arrest bail on behalf of the petitioner nos.1 and 5 is rejected.

(Madhuresh Prasad, J)

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