

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44136 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- AANDAR District- Siwan

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1. Rishikesh Singh Son Of Rajendra Singh Resident Of Village- Tiway, Ps- Andar, Distt- Siwan, Bihar
 2. Ravi Kumar Singh Son Of Rajendra Singh Resident Of Village- Tiway, Ps- Andar, Distt- Siwan, Bihar
 3. Shashi Kumar Singh Son Of Rajendra Singh Resident Of Village- Tiway, Ps- Andar, Distt- Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Venkatesh Kirti

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-12-2023 Learned counsel for the petitioners submits that the petitioner no. 3 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 3.

2. Permission is granted.

3. Accordingly, this application with regard to petitioner no. 3 is dismissed as withdrawn.

4. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State for consideration of bail with regard to rest of the petitioners.

5. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341,



323, 353, 307/34 of the Indian Penal Code.

6. It is alleged in the FIR that when the informant told the accused persons not to erect the palani, then they became furious and attacked the informant and other police personnel by means of lathi. It is further alleged that the accused persons started snatching the rifles from the informant and other police personnel due to which they received serious inquiry.

7. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that the petitioners having title litigation over the disputed land with one Shudhanshu Shekhar Singh and the matter is pending before the Sub Judge-II, Siwan bearing Title Suit No. 3031 of 2022. He submits that the injury found upon the victim is simple in nature. He submits that similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 07.07.2023 passed in Cr. Misc. No. 27888 of 2023. He further submits that petitioners have criminal antecedent as stated in para-3 of the bail application.

8. Learned APP for the State opposes the prayer for bail.

9. Considering the facts and circumstances of the



case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) 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 Andar P.S. Case No. 19 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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