

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33827 of 2023

Arising Out of PS. Case No.-547 Year-2022 Thana- MADANPUR District- Aurangabad

1. Surendra Singh Son Of Late Birja Singh Resident Of Village - Basatpur, P.S. - Madanpur, Distt. - Aurangabad
2. Ravi Kumar Singh Son Of Surendra Singh Resident Of Village - Basatpur, P.S. - Madanpur, Distt. - Aurangabad
3. Shashi Kumar Singh Son Of Surendra Singh Resident Of Village - Basatpur, P.S. - Madanpur, Distt. - Aurangabad
4. Nikhil Kumar Singh Son Of Surendra Singh Resident Of Village - Basatpur, P.S. - Madanpur, Distt. - Aurangabad
5. Vikash Kumar @ Vikash Kumar Singh Son Of Satendra Singh Resident Of Village - Basatpur, P.S. - Madanpur, Distt. - Aurangabad
6. Satendra Singh @ Satyendra Sinha Son Of Late Ramchandra Singh Resident Of Village - Basatpur, P.S. - Madanpur, Distt. - Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Mukul Kumari- Advocate
For the State	:	Mr. Chandra Bhushan Prasad- A.P.P.
For the Informant	:	Mr. Anirudh Kumar Verma- Advocate
		Mr. Vyas Kumar Mishra- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2023 The learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.1.

Permission is accorded.

Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.1.

Heard learned counsel for the rest petitioners, learned counsel for the informant and learned APP for the State.



The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 323, 325, 307, 448, 379, 504, 506 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioner nos.2, 4, 5 and 6 are persons with clean antecedent and petitioner no.3 has antecedent of one case and the informant alleges that 18 accused persons including the petitioners came and Dilip Kumar Singh assaulted him by rod, when his family members came to save him, they were also assaulted by accused persons. Further, Shashi Kumar Singh, Vikash Kumar Singh, Om Prakash Kumar Singh, Rajnish Kumar Singh, Manish Kumar Singh and Saurabh Kumar Singh entered the house and looted cash of Rs.47,700/- and ornaments worth Rs.2 Lakh.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted from perusal of the allegation as alleged in the F.I.R., it would manifest that there is no specific allegation of committing any overt act against petitioner nos.2, 4 and 6 and as far as petitioner nos.3 and 5 are concerned, the allegation against them is also not specific. It is further submitted that allegation of committing theft of Rs.47,700/- and ornaments



worth Rs.2 Lakh is ornamental. It is further submitted that there is a case and a counter-case also.

The learned A.P.P. along with learned counsel for the informant opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos.2, 3, 4, 5 and 6, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Madanpur P. S. Case No.547 of 2022, G.R. No.2580 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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