

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33618 of 2023**

Arising Out of PS. Case No.-128 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

1. DIWAKAR SINGH @ BHOJLA s/o LATE CHANDRABHUSHAN SINGH  
Resident of Village- Karisath, P.S. Udwantnagar, District- Bhojpur
2. PRABHAKAR KUMAR SINGH @ PRABHAKAR SINGH LATE  
CHANDRABHUSHAN SINGH VILLAGE KARISATH PS  
UDWANTNAGAR DISTRICT BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                      |
|--------------------------|---|----------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Bhaskar Shankar , Advocate<br>Mr. Krishna Prasad Singh, Advocate |
| For the Opposite Party/s | : | Mr. Brajendra Nath Pandey, APP                                       |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      04-09-2023                      Heard learned counsel for the petitioner and the  
State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 302, 307, 109, 341, 323, 504, 506, 147, 148 and 149 of the Indian Penal Code read with Section 27 of the Arms Act.

3. As per the prosecution case, on the alleged date and time of occurrence, when the informant was talking with his family members, meanwhile all the accused persons including these petitioners came variously armed and thereafter on orders of Durga Singh, Uday Kumar, Kanhaiya, Rohit, Vinod, Diwakar, Prabhakar and Vishal came with lathi and rod and



thereafter Himachal Singh also came, it is next alleged that Uday and Kanhaiya caught the cousin brother of the informant and his son and then Uday, Kanhaiya, Vinod, Divakar, Prabhakar, Vishal and Himachal assaulted them with lathi and danda causing injury on head of Ashish and Arvind suffered injury on his back . It is further alleged that Hariom Singh brought his licensed weapon and fired which hit Ram Prakash Singh who was declared dead on arrival in the hospital.

4. Learned counsel for the petitioners submits from perusal of the FIR, it is apparent that thrust of accusation is against other co-accused persons. Specific allegation of firing is against co-accused Hariom Singh, So far as these petitioners are concerned there is general and omnibus allegation of assault against them. Injury caused by these petitioners are simple in nature. Similarly situated co-accused persons having similar allegation has already been granted bail by this Court vide order dated 20.10.2022 in Cr. Misc. No. 50579 of 2022.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged 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., Bhojpur at Ara in connection with Udwantnagar (Gajrajganj) P.S. case No. 128 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Kaushik/-

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