

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35073 of 2023

Arising Out of PS. Case No.-260 Year-2020 Thana- ATRI District- Gaya

1. AJIT KUMAR @ AMIT KUMAR Son of Umesh Singh Resident of village - Abhaypur, P.S. - Atri, Distt. - Gaya
2. Vivek Kumar Son of Umesh Singh Resident of village - Abhaypur, P.S. - Atri, Distt. - Gaya
3. Umesh Singh Son of Late Brahmdeo Singh Resident of village - Abhaypur, P.S. - Atri, Distt. - Gaya
4. Sandeep Kumar Son of Sadhusharan Singh Resident of village - Abhaypur, P.S. - Atri, Distt. - Gaya
5. Lalu Kumar @ Lallu Kumar Son of Late Brahmdeo Singh Resident of village - Abhaypur, P.S. - Atri, Distt. - Gaya
6. Dhiraj Kumar Son of Awadh Singh Resident of village - Abhaypur, P.S. - Atri, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha, Adv.
For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Atri P.S. Case No. 260 of 2020, registered for the offence punishable under Sections 147, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. The accused petitioners have attacked the informant with the intention of killing him. The allegation are



levelled, keeping in background the fact that the accused, namely, Amit Kumar was indulging in selling of illicit liquor and has been threatening the informant since before.

4. Learned counsel for the petitioners submits that the FIR has been lodged on extraneous considerations. The parties are agnates. Over trivial dispute, there was scuffle, in which both sides have sustained injury. Atri P.S. Case No. 261 of 2020 was lodged against the instant accused side and the parties have ultimately realized that the case was lodged under misconception and they have filed a joint compromise petition, copy of which is Annexure 2 to the bail petition. The petitioners have no criminal antecedent.

5. The learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, compromise and clean antecedent, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail is allowed.

7. Accordingly, let the petitioners, above named, 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., Gaya, in connection with Atri P.S. Case No. 260 of 2020, 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.

(Madhuresh Prasad, J)

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