

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34594 of 2023

Arising Out of PS. Case No.-140 Year-2020 Thana- CHANAN District- Lakhisarai

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1. SHYAAM NARAYAN SINGH S/O LATE SINGHESWAR SINGH R/O Vilalge-Batta Rampur, P.S. Chanan, Dist.-Lakhisarai
 2. RAJA KUMAR S/O NIRAJ SINGH R/O Vilalge-Batta Rampur, P.S. Chanan, Dist.-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajanan Mishra, Adv.

For the Opposite Party/s : Mr.Jai Narain Thakur, 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 Chanan P.S. Case No. 140 of 2020, registered for the offence punishable under Sections 447, 341, 323, 307, 325/34 of the Indian Penal Code.

3. It is alleged by the prosecution that the tractor, which was being ploughed at the instance of the informant has accidentally crossed over to the side of the petitioner's land. Whereafter it was objected to and the driver was assaulted by all accused persons. When the prosecution parties has intervened, it is alleged that accused persons have assaulted them.



4. Learned counsel for the petitioner submits that the petitioners have no criminal antecedents, and the specific allegation of assault is attributed against co-accused Jaijai Ram Kumar, Rupesh Kumar, Mukesh Kumar, Niraj Singh, Kahniya Kumar and Santosh Singh. Against the petitioners, allegation is general and omnibus.

5. The learned APP for the State has opposed the prayer for bail. It is submitted that the injury report shows that the victims have sustained injuries.

6. Considering the rival submissions, no specific assault being alleged against the petitioner and his clean antecedents, 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.

8. 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 ACJM 1st, Lakhisarai, in connection with Chanan P.S. Case No. 140 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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