

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35238 of 2023

Arising Out of PS. Case No.-102 Year-2023 Thana- KHAIRA District- Jamui

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1. Manoj Singh Son of Late Mahendra Singh Resident of Village- Singarpur, PS- Khaira, Dist- Jamui
 2. Badri Singh @ Badri Prasad Singh Son of Adhik Singh Resident of Village- Singarpur, PS- Khaira, Dist- Jamui
 3. Laddu Singh Son of Adhik Singh Resident of Village- Singarpur, PS- Khaira, Dist- Jamui
 4. Hareram Singh Son of Late Kamleshwari Singh Resident of Village- Singarpur, PS- Khaira, Dist- Jamui
 5. Sudama Singh @ Sudama Kumar Singh Son of Adhik Singh Resident of Village- Singarpur, PS- Khaira, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Prabhat Ranjan Singh
For the Opposite Party/s :	Mr. Atul Chandra
	Mr. Pankaj Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-10-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 354B, 307 and other allied Sections of the Indian Penal Code.

3. The allegation against the petitioners is that the petitioners assaulted the informant's side by means of several weapons due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both sides have sustained injuries. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no.1 and 2 to assault the husband of the informant due to which he sustained grievous injuries, which is also evident from the injury report enclosed in the case diary.

6. Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.1 and 2 on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. The petitioner no.1 and 2 are at liberty to surrender before the learned Court below within a period of six weeks from today and seek for regular bail and the learned Court below shall pass the order on the same day in accordance with law.

8. However, as the injuries attributed towards the



petitioner nos.3, 4 and 5 are simple in nature, let the above named petitioner nos.3, 4 and 5, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** 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 Khaira P.S. Case No.102 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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