

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36879 of 2023

Arising Out of PS. Case No.-733 Year-2022 Thana- MADHAURAH District- Saran

1. LALAN SINGH @ LALLAN SINGH S/O CHANDRIKA SINGH R/O Vill. Bishunpur Jagdish, PS. Marhourah, Dist. Saran at Chapra (Bihar)
2. RANJEET SINGH S/O RAM NARESH SINGH R/O Vill. Bishunpur Jagdish, PS. Marhourah, Dist. Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vishal Vikram Rana, Advocate
For the Informant	:	Mr. Narendra Kumar, Advocate
For the State	:	Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioners, learned counsel appearing on behalf of the Informant and learned APP for the State.

Petitioners seek bail, who are in custody since 11.04.2023, in connection with Morhowrah P.S. Case No. 733 of 2022, F.I.R. dated 23.11.2022 registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506, 34 of the Indian Penal Code.

Allegation against the petitioners is of assaulting the informant with lathi on his back, shoulder and neck due to which he sustained injured.

Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in



the present case due to admitted old dispute between the parties. He further submits that it appears from the F.I.R. that there is no specific allegation of any assault or overt act against these petitioners rather there is general and omnibus allegation against these petitioners. He further submits that there is direct allegation against co-accused Ashok Singh who has assaulted to the informant on his head and the informant sustained injury. He further submits that the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 11.04.2023.

The learned counsel appearing on behalf of the Informant as well as learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioners, and submits that the petitioners are named in the F.I.R. and there is specific allegation against them that they have assaulted the informant and apart from that the petitioners carry three more cases other than the present one but fairly submits that the petitioners are on bail in all the cases.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Morhowrah P.S. Case No. 733 of 2022, subject to the following



conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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