

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37243 of 2023

Arising Out of PS. Case No.-38 Year-2016 Thana- KARPI District- Jehanabad

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1. BABAN SINGH S/O LATE RAM SEVAK SINGH R/O Village. Gajipur, PS. Karpi, Dist. Arwal
 2. RANJEET KUMAR YADAV @ RANJEET KUMAR S/O BABAN SINGH R/O Village. Gajipur, PS. Karpi, Dist. Arwal
 3. SUDHIR KUMAR YADAV @ SUDHIR KUMAR S/O BABAN SINGH R/O Village. Gajipur, PS. Karpi, Dist. Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

2. This is an application for grant of anticipatory bail in connection with Karpi P.S. Case No. 38 of 2016, registered for the offence punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

3. The accusation is regarding the accused persons having arrived at the house of the informant, whereafter they had abused him and asked him to compromise an old case, pending in between them, however, when the informant had refused to do so, they had assaulted him.



4. The learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that though the petitioners are accused in one another case but they are on bail in the said case. It is also stated that the petitioners are on police bail in the present case. The learned counsel for the petitioners has further contended that similarly situated co-accused persons have already been granted liberty to surrender before the learned Court below within a period of four weeks and file application for grant of bail, which has been directed to be considered by the learned Trial Court in view of the law laid down by this Court in the case of *Mahendra Prasad Singh vs. State of Bihar*, reported in 2004(3) PLJR 491.

5. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, taking into account the materials available on record, the petitioners are granted liberty to surrender before the learned Trial Court within a period of four weeks from today and file appropriate petition for grant of bail, which is directed



to be considered by the learned Court of Judicial Magistrate, 1st Class, Arwal, in connection with Karpi P.S. Case No. 38 of 2016, by taking into account the law laid down by this Court in the case of *Mahendra Prasad Singh* (supra).

7. The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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