

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40526 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- AMNAUR District- Saran

1. Shailendra Singh @ Bhulawan Singh @ Shailendra Kumar Singh Son Of Late Shital Singh Resident Of Village- Kaituka Lacchi, Ps- Amnour, Distt- Saran
2. Chhotu Kumar @ Amit Kumar @ Awanish Kumar Son Of Shailendra Kumar Singh Resident Of Village- Kaituka Lacchi, Ps- Amnour, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-07-2023 Heard the parties.

The petitioners are apprehending arrest in connection with Amnour P.S. Case No. 67 of 2023 instituted under under Sections 323, 324, 379, 354, 447, 504, 506/34 of the Indian Penal Code lodged on 2.4.2023 by the informant, Shailendra Kr. Singh.

As per the prosecution story, the allegation is that the accused persons came armed variously and demanded Rs. 20,000/- as cost of soil and upon refusal, the allegation is of beating as also outraging the modesty of the informant's side. Accordingly, the FIR.

Learned counsel for the petitioners submit that there



is case and counter case and the present petitioners have also lodged Amnour P.S. Case No. 68 of 2023 (Annexure-2) against the husband of the informant.

It is his further submission that although the allegation of assault is there, there is no injury report and the last submission is that the petitioners do not have criminal antecedent.

Learned APP opposes the prayer stating that there is allegation of assault as also outraging the modesty of the informant's side.

Considering the submission put forward by the learned counsel for the petitioners, there is case and counter case and further the petitioners do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Amnour P.S. Case No. 67 of 2023 to the satisfaction of learned A.C.J.M.-IX, Saran at Chapra subject to the conditions as laid down under



Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

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