

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41103 of 2022

Arising Out of PS. Case No.-342 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. SURYDAYAL SINGH @ SURAJ DAYAL SINGH Son of Late Ram Sighashan Singh Resident of Village - Fatehganj, P.S.- Dawath, District - Rohtas at Sasaram.
 2. Pramod Singh @ Pramod Kumar Son of Surydayal Singh Resident of Village - Fatehganj, P.S.- Dawath, District - Rohtas at Sasaram.
 3. Saroj Kumar Singh @ Saroj Kumar Son of Surydayal Singh Resident of Village - Fatehganj, P.S.- Dawath, District - Rohtas at Sasaram.
 4. Vikash Kumar Son of Late Umesh Kumar Resident of Village - Fatehganj, P.S.- Dawath, District - Rohtas at Sasaram.
 5. Bholi Kumar Son of Pramod Kumar Resident of Village - Fatehganj, P.S.- Dawath, District - Rohtas at Sasaram.
 6. Lallu Kumar Son of Pramod Kumar Resident of Village - Fatehganj, P.S.- Dawath, District - Rohtas at Sasaram.

... .. Petitioners.

Versus

1. The State of Bihar
2. Nandji Singh Son of Late Gupteshwar Singh Resident of Village - Tenduni Tola, Yogivir P.S.- Bikramganj, District - Rohtas at Sasaram.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-01-2023 Heard learned counsel for the petitioners and learned

A.P.P. for the State assisted by learned counsel for the

complainant/opposite party no.2.

The petitioners apprehend their arrest in a case

registered for the offences punishable under Sections 323, 406

& 504/34 of the Indian Penal Code.



It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that all the petitioners are from same family and they have been implicated in this case on a cook and bull story. They have no concern regarding the land in question. As a matter of fact, petitioners' family members are pressurizing by the complainant to give up their possession over the aforesaid land but petitioners have refused to oblige the complainant. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State assisted by learned counsel for the opposite party no.2 vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, 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



lower Court where the case is pending/successor Court in connection with Complaint Case No.342 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Learned court below is directed to accept the bail bond of the petitioners after satisfying himself that they have no criminal antecedent as submitted by learned counsel for the petitioners. If any petitioner bears the criminal antecedent then in that event his bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

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