

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45770 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- DARAUNDA District- Siwan

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HANSRAJ SINGH SON OF LATE GULAB SINGH RESIDENT OF
VILLAGE - CHAKARI, P.S. - DARAUNDA, DISTRICT - SIWAN, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Daraunda P.S. Case No. 52 of 2023 for the offence registered under sections 147, 341, 323, 324, 325, 307, 353, 436, 504, 427 and 120(B) of the Indian Penal Code lodged on 03.03.2023 by the informant, Md. Shakeel Ahmad.

As per the prosecution story, the officials of the Electricity Department (NBPDP) alleged that after reaching the Gulab Singh School, informant was checking electricity connection meanwhile, the Niranjana Singh (Mukhiya of Pandeypur Panchayat) alongwith this petitioner and some unknown persons came, abused and attacked the team. Further, the vehicle of the company was obstructed and they torched his



vehicle but the informant managed to flee with his team and later admitted to hospital for treatment. Accordingly, the FIR.

Learned counsel for the petitioner submits that he manages and runs Gulab Singh School and as he failed to pay the illegal demand, the case.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submits that despite being owner of the school not only he tried to block the officials from doing their official duty, they also instigated the mob and torched the vehicle beside assaulting the officials.

Further, irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs. 50,000/- to the Chief Minister's Relief Fund.

Considering the fact that main allegation is against Niranjana Singh who is the Mukhiya of the Pandeypur Panchayat, he was taken into custody and was subsequently granted bail, FIR lodged, ultimately he will face the trial, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs. 50,000/- as undertaken by the learned Counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

Let the petitioner in the event of arrest or surrender



within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Siwan in connection with Daraunda P.S. Case No. 52 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

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

(ii) the petitioner 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 his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner 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 petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty



to take steps for cancellation of the bail bonds.

With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

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