

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45354 of 2023

Arising Out of PS. Case No.-444 Year-2018 Thana- DUMRAO District- Buxar

VINOD KUMAR SINGH @ LAL SAHEB SINGH S/O KASHI NATH
SINGH R/O VILLAGE- GOPAL DERA, GOPALPUR, PS. DUMRAON,
DIST. BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manju Sharma, Advocate

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 04-08-2023 1. Heard the learned counsel for the petitioner and the learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with Dumraon (New Bhojpur OP) P.S. Case No. 444 of 2018, registered for the offences punishable under Sections 147, 148, 149, 323, 324 and 307 of the Indian Penal Code.
3. The allegation is regarding the accused persons having arrived at the place of occurrence, whereafter a dispute had erupted between the parties pertaining to dismantling of pole for the purposes of construction of road. It is also alleged that the accused person, namely, Kamlesh Kumar had engaged in specific overt act, whereafter, the



rest of the accused persons had engaged in assaulting the informant and the members of the prosecution party.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled against the petitioner and he has not been alleged to have engaged in any sort of specific overt act, hence he be granted the privilege of anticipatory bail.

5. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been



levelled against the petitioner and he has not specifically been alleged to have engaged in any sort of specific overt act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

7. Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Buxar in connection with Dumraon (New Bhojpur O.P.) P.S. Case No. 444 of 2018, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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