

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43406 of 2023

Arising Out of PS. Case No.-365 Year-2022 Thana- SIKARPUR District- West Champaran

1. Raj Babbar Singh son of late Mahavir Singh, Resident of village - khori, P.S.. - Shikarpur, Distt. - West Champaran
2. Sanket Singh Son of Anil Singh @ Chandan Singh, Resident of village - Khori, P.S. - Shikarpur, Distt. - West Champaran
3. Shipahi Kumar @ Sipahi Singh Son of Shyam Jee Singh Resident of village - Khori, P.S. - Shikarpur, Distt. - West Champaran

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

2. The petitioners in the present case are seeking pre-arrest bail in connection with Shikarpur P.S. Case No- 365 of 2022 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code. They have got no criminal antecedent.

3. Learned counsel for the petitioners submit that when the informant was going to his friend's house, then suddenly all FIR named accused persons including the petitioners and 10-12 unknown persons armed with deadly weapons came there. They then assaulted the informant with



knife, farsa which caused injury on his hand.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case. It is submitted that no specific overt act has been alleged against these petitioners.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the submission on behalf of petitioners that the F.I.R has been lodged against 9 named and 8-10 unknown persons, no specific overt act has been alleged against these petitioners except that they were also present being the members of mob, the petitioners have otherwise no criminal antecedent, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Shikarpur P.S. Case No- 365 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Learned Chief Judicial Magistrate, Bettiah, District- West Champaran, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall



verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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