

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55785 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- AGIAON District- Bhojpur

1. Laxman Singh Son Of Late Chandrama Singh
 2. Ravindra Singh @ Sanjeev Sanjay Singh Son Of Laxman Singh
 3. Pintu Singh Son Of Laxman Singh
 4. Lala Singh Son Of Laxman Singh
 5. Ajay Singh @ Ajay Kumar Singh Son Of Satrugan Singh
 6. Raunak Singh @ Raunak Kumar @ Raunak Son Of Ravindra Singh
 7. Laxmikant @ Laxmikant Singh @ Laxmikant Kumar Son Of Ajay Singh
- All are Resident Of Village-Barap, P.S.-Agiaon (G), District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Agiaon (G) P.S. Case No.63 of 2023, F.I.R. dated 25.04.2023 registered for the offence punishable under Sections 341, 323, 307, 447, 504, 506, 354, 34 of the Indian Penal Code.

3. The prosecution case, in short, is that when the informant in the evening he was drinking water to his cow, Laxman Singh came on this door, and said filthy words. When he asked why he is saying filthy words then he said why he



beaten his cow. Informant said that his cow has not come on his door then Laxman Singh started mar-pit with him. Thereafter, he returned to his house, and came with his son and grand son gave blow his head. On that time Lala Singh came with pistol, and threatened to kill him. Then Lala Singh, Pintu Singh, Laxman Singh started misbehave with his wife when on that time his son Nitish Kumar came, he was also beaten by that persons received injury, and cut in the hand. Lala Singh and Pintu Singh also threatened to kill his son. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that petitioners have falsely been implicated in the present case. Further submits that from perusal of the FIR it appears that there is no accusation of any assault or overt act is attributed against the petitioners, rather there is general and omnibus allegation against all the accused persons including the petitioners. He further submits that as per the allegation the petitioners are assaulted the informant and her son and the injury report of the informant as well as his son suggests that although they have received the injuries but the injuries are simple in nature caused by hard and blunt substance and also submits that both the parties are agnates.

5. The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioners on the ground that the petitioners carries one more case other than the present one, but fairly submits that the petitioners are on bail in pending cases.

6. Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Agiaon (G) P.S. Case No.63 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(i) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(ii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of their anticipatory bail.



(iii) 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 anticipatory 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.

(Rajesh Kumar Verma, J)

Prakash Narayan

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