

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58286 of 2023**

Arising Out of PS. Case No.-522 Year-2021 Thana- CHAPRA MUFFASIL
District- Saran

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1. SATENDRA KUMAR @ SATYENDRA KR. SINGH Son of Late Kheladi Singh @ Ram Kheladi Singh Resident of Vishnupura, P.S. Mufassil, District Saran, Chapra.
 2. JITENDRA KUMAR SINGH Son of Late Kheladi Singh @ Ram Kheladi Singh Resident of Vishnupura, P.S. Mufassil, District Saran, Chapra.
 3. SIMA DEVI Wife of Jitendra Kumar Singh Resident of Vishnupura, P.S. Mufassil, District Saran, Chapra.
 4. SANGEETA SINGH @ SANGITA DEVI Wife of Basant Kumar Singh Resident of Vishnupura, P.S. Mufassil, District Saran, Chapra.
 5. MUSKAN KUMARI Daughter of Satendra Kumar Singh Resident of Vishnupura, P.S. Mufassil, District Saran, Chapra.
 6. SACHIN RATHAUR @ SANTOSH KUMAR Son of Satendra Kumar Singh Resident of Vishnupura, P.S. Mufassil, District Saran, Chapra.
 7. VIKRAM RATHAUR @ MOHIT KUMAR Son of Jitendra Kumar Singh Resident of Vishnupura, P.S. Mufassil, District Saran, Chapra.
 8. BABITA DEVI @ BABITA SINGH Wife of Satendra Kumar Resident of Vishnupura, P.S. Mufassil, District Saran, Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghwendra Pratap Singh
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-10-2023 Heard Mr. Raghwendra Pratap Singh, learned

counsel for the petitioners and Mr. Jharkhandi Upadhyay,

learned A.P.P. for the State.

The petitioners apprehend their arrest in

connection with Chapra (Mufassil) P.S. Case No. 522 of 2021



registered for the offence under Sections 341, 323, 324, 325, 307, 427/34 of the Indian Penal Code.

The petitioners are alleged to have assaulted the informant and his rescuer by means of iron rod and danda due to which one Ravi Kumar who was rescuing the informant has been inflicted rod and danda blow causing fracture of his left hand and one co-accused gave knife blow which hit the left elbow of Roushan Kumar.

Learned counsel appearing for the petitioners submits that the petitioners innocent and have falsely been implicated in this case. He further submits that the petitioner Nos. 4 and 5 have clean antecedents and petitioner Nos. 1, 2, 3, 6, 7, 8 carry two more cases other than the present one, which was filed by the brother of the informant. He further submits that on bare perusal of the F.I.R., it appears that there is no specific allegation against the petitioners rather general and omnibus allegations have been leveled against the accused persons including the petitioners and it is apparent from the F.I.R. itself that due to land dispute, present occurrence took place thereupon case and counter case have been lodged by the parties as both the parties have sustained injuries.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners, in the event of thier arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Saran at Chapra in connection with Chapra (Muffasil) P.S. Case No. 522 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-

(1) 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 bond shall be canceled by the Court below.

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

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 antecedent, 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.

(Rajesh Kumar Verma, J)

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