

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64716 of 2023

Arising Out of PS. Case No.-398 Year-2022 Thana- PAROO District- Muzaffarpur

1. Praveen Kumar Singh Son of Dilip Kumar Singh @ Dilip Singh, R/o vill - Jaimal Dumri, P.S. - Paroo, Distt. - Muzaffarpur
2. Ratan Kumar Son of Rajendra Singh @ Rajendra Kumar Singh @ Rajindar Kumar Singh, R/o vill - Jaimal Dumri, P.S. - Paroo, Distt. - Muzaffarpur
3. Rajendra Singh @ Rajendra Kumar Singh @ Rajindar Kumar Singh Son of Dhak Narayan Singh @ Dutt Narayan Singh, R/o vill - Jaimal Dumri, P.S. - Paroo, Distt. - Muzaffarpur
4. Dilip Singh @ Dilip Kumar Singh Son of Late Shivjee Singh, R/o vill - Jaimal Dumri, P.S. - Paroo, Distt. - Muzaffarpur

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2023 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 Paroo P.S. Case No. 398 of 2022 registered for the offences punishable under Sections 341, 323, 147, 148, 149, 307, 504 and 506 of the Indian Penal Code. They have got no criminal antecedent.

3. As per the prosecution story, the informant has alleged that the petitioner no.1 has demanded Rs. 50,000/- from him which he denied. On 10.08.2022, when he was going to his home from Patna, all the petitioners surrounded him near



Panchayat Bhawan and petitioner no.1 stabbed him in his stomach.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there is no specific allegation of committing any overt act against petitioner nos. 2, 3 and 4 and the petitioners are persons with clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners. It is submitted that there is direct allegation against petitioner no.1 of stabbing the informant in his stomach.

6. Having regard to the uncontroverted submission of the learned counsel for the petitioners that so far as petitioner nos. 2, 3 and 4 are concerned, there is no allegation of commission of any overt act against them and these petitioners have no criminal antecedent, this Court directs that in case of their arrest or surrender within a period of six weeks from today, the petitioner nos. 2, 3 and 4 above named be released on bail in connection with Paroo P.S. Case No. 398 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of Court No. 2 of learned J.M. 1st Class, Muzaffarpur, (West), 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 petitioner nos. 2, 3 and 4 and in case at any stage it is found that petitioner nos. 2, 3 and 4 have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of these 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. So far as petitioner no.1 is concerned, in the FIR there is specific allegation that he had penetrated a dagger in the stomach of the informant causing him grievous injury, this Court is not inclined to grant privilege of anticipatory bail to the petitioner no.1 His prayer for anticipatory bail is refused.

9. In case the petitioner no.1 surrenders and prays for regular bail within a period of six weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by order of this Court.

10. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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