

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65272 of 2022

Arising Out of PS. Case No.-166 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

1. RAMESHWAR SINGH @ RAM ISHWAR SINGH S/O LATE RAMRAJ SINGH Resident of village- Ratanpur, P.S.- Chandi, District- Bhojpur.
2. AMIT KUMAR S/O RAMESHWAR SINGH @ RAM ISHWAR SINGH Resident of village- Ratanpur, P.S.- Chandi, District- Bhojpur.
3. SUMAN KUMAR SINGH S/O RAMESHWAR SINGH @ RAM ISHWAR SINGH Resident of village- Ratanpur, P.S.- Chandi, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Singh Shastri, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-02-2023 Heard Mr. Rajendra Singh Shastri, learned counsel
for the petitioners and Mr. Jitendra Kumar Singh, learned APP
for the State.

The petitioners apprehend their arrest in connection with Udwantnagar P.S. Case No. 166 of 2022 for the offence registered under Sections 147, 149, 341, 323, 307, 379, 504, 506, 337 and 338 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution story, the allegation is that the petitioners herein, after threatening the informant as to why he has purchased the land assaulted him in the process, allegation



against Ram Ishwar Singh is of assaulting with '*lathi*', Amit Kumar threw '*stone*' while Suman Kumar Singh firstly assaulted with '*rod*' and thereafter assaulted his nephew on the leg and the last allegation against him is of opening fire from a country made revolver which however, did not hit the informant.

Considering the kind of allegation that has come against the petitioner no. 3, Suman Kumar Singh, this is not a fit case for extending privilege of anticipatory bail to him and the same is accordingly rejected.

So far as the other two petitioners namely petitioner no. 1, Rameshwar Singh @ Ram Ishwar Singh and petitioner no. 2, Amit Kumar is/are concerned, considering the fact that omnibus allegation is against them, the opinion was reserved and the same has not been shown to be grievous in nature, petitioner no. 1 is 82 years old and both of them do not have criminal antecedent, this Court is inclined to extend them privilege of anticipatory bail.

Let the petitioner no. 1, Rameshwar Singh @ Ram Ishwar Singh and petitioner no. 2, Amit Kumar in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on



furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Udwanthnagar P.S. Case No. 166 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C with further conditions:-

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty



to take steps for cancellation of their bail bonds;

(vi) the petitioners shall co-operate in the investigation and made themselves available to the police as and when required.

(Rajiv Roy, J)

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