

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68135 of 2023**

Arising Out of PS. Case No.-165 Year-2023 Thana- ROSERA District- Samastipur

1. Lal Babu Singh @ Lalan Prasad Singh 2. Braj Mohan Singh 3. Ram Naresh Singh All S/O Late Binda Singh, all R/O Village- Muradpur, P.S- Rosera, Distt.- Samastipur.	Versus	 Petitioner/s
The State of Bihar		 Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shivjee Singh, Advocate
For the Opposite Party/s :	Mr.Ram Bilash Roy Raman,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 19-10-2023 Heard Mr.Shivjee Singh, learned counsel for the

petitioners and Mr.Ram Bilash Roy Raman, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Rosera P.S.Case No.165 of 2023, FIR dated
28.02.2023 registered for the offences punishable under
Sections 341,323,324,325,307/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant
alleges that on 26.02.2023 the accused persons named in the
FIR including the petitioners have beaten her and her other
family members. She further alleged that on the same day when
her husband and son were returning from field and reached just
in front of house of the accused persons, they suddenly attacked
by means of lathi, knife, farsa and other weapons got them



injured.

4. Learned counsel for the petitioners submits that petitioner Nos. 1 and 3 have clean antecedent and petitioner No.2 carries two more cases other than the present one but he is on bail in both the cases. Further submits that it appears from the FIR that due to admitted land dispute the present occurrence had taken place and there is case and counter case and there is no specific allegation of any assault or overt-act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

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 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 Additional Chief Judicial Magistrate-I, Rosera, Samastipur in connection with Rosera P.S. Case No.165 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 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 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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