

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70363 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- RISIYAP District- Aurangabad

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1. Deepak Kumar Singh @ Dipak Singh son of Sudeshwar Singh Village-
Santhua Ps- Risiup Dist- Aurangabad
 2. Sudeshwar Singh son of Late Raghunandan Singh Village- Santhua Ps-
Risiup Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners seek permission
to withdraw this application with respect to petitioner no.1,
namely, Deepak Kumar Singh @ Dipak Singh, as the petitioner
no.1 has been apprehended during pendency of this application

3. Permission is accorded.

4. Accordingly, the present application is dismissed as
withdrawn with respect to petitioner no.1, namely, Deepak
Kumar Singh @ Dipak Singh.

5. The petitioner no.2 apprehends his arrest in a case
registered for the offences punishable under Section 307, 379,



323, 341, 504, 506/34 of the Indian Penal Code.

6. The informant alleged that petitioners assaulted his son on the head by means of butt of pistol due to which he became unconscious and fell down.

7. Learned counsel for the petitioners submits that the petitioner no.2 is innocent and has falsely been implicated in this case. There is case and counter case between the parties. He further submits that there is specific allegation of overt-act against the petitioner no.1, Deepak Kumar who assaulted the informant and the injury was found grievous in nature and there is no specific allegation of overt-act against the petitioner no.2, namely, Sudeshwar Singh rather general and omnibus in nature. Petitioner no.2 has one criminal antecedent as mentioned in para-3 of this application.

8. Learned APP for the State opposes prayer for anticipatory bail.

9. Considering the facts and circumstances of the case, let petitioner no.2, namely, Sudeshwar Singh, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned Court below where the case is pending/successor Court in connection with Risiup P.S. Case No. 128 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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