

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70581 of 2022

Arising Out of PS. Case No.-223 Year-2021 Thana- GOH District- Aurangabad

1. Satya Prakash Singh @ Banti Singh Son Of Ravinandan Singh Resident Of Village- Darha, P.S.- Goh, District- Aurangabad
2. Vikram Pratap Singh @ Durgesh Singh Son Of Ravinandan Singh Resident Of Village- Darha, P.S.- Goh, District- Aurangabad
3. Uday Pratap Singh @ Ram Uday Singh Son Of Ram Khelawan Singh Resident Of Village- Darha, P.S.- Goh, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-04-2023 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

The accused/petitioners are named in the F.I.R. and apprehended his arrest in connection with Goh P.S. Case No.223 of 2021 registered for the offences punishable under Sections 307, 323, 379, 341, 504, 147, 148 and 149 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners is to assault the informant and others alongwith other co-accused persons and also to open fire. It is submitted that alleged assault was caused



by accused persons with intention to cause death of the informant and others during the course of occurrence.

Learned counsel appearing on behalf of the petitioner submitted that allegation of firing is specifically available against co-accused Prakash Singh, who is not petitioner for the present. Submission is also that it appears very improbable that in the background of allegation as to cause assault by several accused persons only single injury was alleged to be found upon informant. It is submitted that allegation of assault against these petitioners is appearing very much general and omnibus. It is also submitted that similarly situated co-accused persons have already been granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 14 of 2023 vide order dated 24.03.2023. While concluding the argument it is submitted that petitioners also found involved in three more criminal cases, where they are on bail.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as allegation regarding assault is appearing very much general and omnibus against these petitioners, accordingly the petitioners above named, in the event of their arrest or surrender



before the Court below within a period of four weeks, be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad/concerned Court below where the case is pending in connection with Goh P.S. Case No.223 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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