

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75934 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- KARAKAT District-
Rohtas

- =====
1. UPENDRA SINGH S/O- LATE NANDA SINGH R/O- VILLAGE- KAUPA, POLICE STATION- KARAKAT, DIST.- ROHTAS AT SASARAM
 2. DHARMENDRA SINGH S/O- LATE NANDA SINGH R/O- VILLAGE- KAUPA, POLICE STATION- KARAKAT, DIST.- ROHTAS AT SASARAM
 3. KAMENDRA SINGH S/O- LATE NANDA SINGH R/O- VILLAGE- KAUPA, POLICE STATION- KARAKAT, DIST.- ROHTAS AT SASARAM
 4. CHHATHIYA DEVI W/O- LATE NANDA SINGH R/O- VILLAGE- KAUPA, POLICE STATION- KARAKAT, DIST.- ROHTAS AT SASARAM
 5. MUKESH SINGH S/O- HIRALAL SINGH R/O- VILLAGE- KAUPA, POLICE STATION- KARAKAT, DIST.- ROHTAS AT SASARAM
 6. HIRALAL SINGH S/O- LATE RAMLAKHI SINGH R/O- VILLAGE- KAUPA, POLICE STATION- KARAKAT, DIST.- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-11-2023 Heard Mr. Raghunandan Kumar Singh, learned

counsel for the petitioner and Mrs. Madhuri Lata, learned

A.P.P. for the State.

Learned counsel for the petitioners at the out set
submits that the petitioner No. 2, namely, Dharmendra Singh
and petitioner No.6, namely, Hiralal Singh, have been taken
into custody, therefore, the application has become now



infructuous with respect the aforesaid petitioners.

Accordingly, this criminal miscellaneous application is dismissed as having been infructuous with respect to petitioner Nos. 2 and 6 only.

The petitioners apprehend their arrest in connection with Karakat P.S. Case No. 155 of 2023 registered for the offence under Sections 341, 323, 448, 324, 307 and 34 of the Indian Penal Code.

The petitioners along with others are alleged to have assaulted the informant and his family members by means of sharp axe causing them injury and snatched their ornaments along with cash of Rs. 50000/-

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have falsely been implicated in this case. He further submits that there is admitted land dispute between the parties and on account thereof present occurrence took place and both the parties have lodged case against each other. He further submits that it appears from the F.I.R itself that there is no specific allegation of assault or any overt act is attributed to the petitioners rather there is general and omnibus allegation attributed to them.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, 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 A.C.J.M.-I, Bikramganj, Rohtas in connection with Karakat P.S. Case No. 155 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-

(1) 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, thier bail bond shall be canceled by the Court below.

(2) 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.

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 antecedent, 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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