

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74191 of 2023

Arising Out of PS. Case No.-197 Year-2023 Thana- ITARHI District- Buxar

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1. Pachratan Singh, Son of Sudarsan Singh Resident of Village- Lodhas, Ps- Itarhi, Distt- Buxar
 2. Deepak Singh @ Deepak Kumar Son Of Pachratan Singh Resident of Village- Lodhas, Ps- Itarhi, Distt- Buxar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with regard to the petitioner no.2 i.e. Deepak Singh @ Deepak Kumar who has already been arrested.

4. Permission is accorded.

5. Accordingly, the present anticipatory bail



application is dismissed as withdrawn with respect to petitioner no.2.

6. The petitioner is apprehending his arrest in connection with Itarhi P.S Case No. 197 of 2023 dated 15.08.2023 registered for the offence punishable u/ss 147, 149, 341, 323, 504, 506, 379 and 307 of the Indian Penal Code.

7. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant's husband Arjun Singh and the brother-in-law Dwarika Singh with axe and *farsa* causing injuries to them. When the co-sharer Kujan Devi came to rescue, she was also assaulted by the accused persons. They also snatched golden chain and Rs. 30,000/- in cash from the house of the informant.

8. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that parties are *gotiya/pattidar* and there is a case and counter case between them. It is further submitted that the allegations are general and omnibus in nature. It is further submitted that the nature of injury is



simple caused by hard and blunt substance. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

9. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner.

10. Considering the aforesaid facts and circumstances of the case as well as the injury being simple in nature, let the above named petitioner no.1 i.e. Pachratan Singh, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Itarhi P.S. Case No. 197 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

11. This application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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