

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74843 of 2022

Arising Out of PS. Case No.-368 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

-
1. GAUTAM SINGH @ GAUTAM KUMAR Son of Rabindra Singh Resident of Village- Ranna, P.S.- Sadar (Bhalpatti O.P.), District- Darbhanga
 2. RAM NARESH SINGH @ NARESH SINGH Son of Shiv Nandan Singh Resident of Village- Ranna, P.S.- Sadar (Bhalpatti O.P.), District- Darbhanga

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramchandra Jha Raman, Advocate
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners and Mr. Prem Kumar Jha, learned APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Sadar (Bhalpatti O.P.) P.S. Case No. 368/2022 registered for the offences punishable under Sections 147, 148, 323, 307, 504, 506 of the Indian Penal Code and section 27 of the Arms Act. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, while the informant establishing pillars for construction of his house, all the accused persons including these petitioners with common intention armed with Farsa, Sword, Iron Rod and Pistol came there and stopped the construction work and started abusing. Co-accused



Shashi Bhushan Singh assaulted the informant with Farsa causing head injury. It is further alleged that petitioners assaulted Ramesh Singh, brother of the informant, with iron rod causing head injury.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case due to land dispute. Learned counsel submits that there was a free-fight between the parties.

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

Having regard to the facts and circumstances of the case, considering that due to land dispute the parties have entered into a free-fight, there is case and counter case between the parties and Annexure '3' and '4' are the injury reports of both the sides, considering the entire circumstances and the kind of injuries reported, this Court directs that in the event of their arrest or surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sadar (Bhapatti O.P.) P.S. Case No. 368/2022, subject to the



conditions as laid down under Section 438 (2) of the Cr.P.C.

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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

U		T	
---	--	---	--

