

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78599 of 2023

Arising Out of PS. Case No.-286 Year-2023 Thana- BAHERI District- Darbhanga

1. CHANDRA BHUSHAN SINGH SON OF LATE RAM BILASH SINGH
RESIDENT OF VILLAGE - NIMAITHI, P.S. - BAHERI, DISTRICT -
DARBHANGA
2. JAI BHUSHAN SINGH SON OF LATE RAM BILASH SINGH
RESIDENT OF VILLAGE - NIMAITHI, P.S. - BAHERI, DISTRICT -
DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate
For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-12-2023 Heard the parties.

2. The petitioners are apprehending arrest in connection with Baheri P.S. Case No. 286 of 2023 instituted under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code lodged on 18.08.2023 by the informant, Rudranand Singh.

3. As per the prosecution story, the allegation is that the accused persons due to local dispute, started abusing. The villagers tried to pacify the matter but later the accused persons armed variously came and number of persons used '*farsa/rod*' to assault the informant causing injuries on the body part.

4. So far as the petitioner No. 01 Chandra Bhushan



Singh is concerned, allegation against him is that he used '*iron rod*' to hit on the arm of the informant, causing injury.

5. So far as the petitioner No. 02 is concerned though he has been named in the FIR, nothing specific has come against him.

6. Learned counsel for the petitioners took this court to the injury report to show that the same has not been shown grievous rather opinion has been reserved. Learned counsel for the petitioners further submits that the allegation is of hitting the arm which is not a vital part. The last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner No. 01 intends to contribute Rs. 20,000/- to the informant (Rudranand Singh) through demand draft by the local State Bank of India Branch.

7. Learned APP opposes the prayer stating that petitioner No. 01 has also hit the informant on his arm.

8. Taking into account the submission put forward by the parties and also the fact that the main allegation is alleged against the Kunal Kr. Singh of using '*farsa*' on his head as also Kanhaiya Singh, so far as petitioner No. 01 is concerned the allegation is that he hit the arm and regarding petitioner No. 02 there is no allegation against him, this Court is inclined to grant



them privilege of anticipatory bail. However, so far as petitioner No. 1 Chandra Bhushan Singh is concerned, the same shall be subject to payment of Rs. 20,000/- as undertaken by the learned counsel for the petitioners.

9. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Baheri P.S. Case No. 286 of 2023 to the satisfaction of learned ACJM-IV, Darbhanga subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;



(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(Rajiv Roy, J)

Adnan/-

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