

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7768 of 2024

Arising Out of PS. Case No.-363 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

1. Guddu Kumar @ Guddu Singh Son Of Sheo Prasad Singh Resident Of Village - Chhorasni, P.S. - Udwant Nagar, District - Bhojpur
2. Yugeshwar Singh Son Of Sheo Prasad Singh Resident Of Village - Chhorasni, P.S. - Udwant Nagar, District - Bhojpur
3. Ram Niwash Singh @ Niwas Singh Son Of Mala Singh Resident Of Village - Chhorasni, P.S. - Udwant Nagar, District - Bhojpur
4. Munna Kumar @ Munna Singh Son Of Sri Niwas Singh Resident Of Village - Chhorasni, P.S. - Udwant Nagar, District - Bhojpur
5. Chandeshwar Singh Son Of Sheo Prasad Singh Resident Of Village - Chhorasni, P.S. - Udwant Nagar, District - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Singh
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to the petitioners no. 1, 2 & 4 because they have arrested during the pendency of the application.

3. Permission is accorded.

4. Accordingly, the present anticipatory bail application with respect to the petitioners no. 1, 2 & 4 is



dismissed as withdrawn.

5. So far as regarding the petitioners no. 3 and 5 are apprehending their arrest in connection with Udwant Nagar P.S. Case No. 363 of 2022, dated 05.08.2022 for the offences punishable under Sections 147, 341, 323, 461, 504, 506/379 of the Indian Penal Code.

6. As per the prosecution case, the petitioners and other co-accused are alleged to have stolen the motor pump and section pipe of the informant, also abused and assaulted the informant.

7. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have one criminal antecedent as stated in para 3 of the bail petition. There is a case and counter case between both the parties. There is land dispute between the parties. There is a delay of sixteen days in lodging the F.I.R. No incriminating article was recovered from the conscious possession of the petitioner.

8. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

9. Considering the aforesaid facts and circumstances of the case as well as there is land dispute between the parties,



let the above named petitioners no. 3 and 5, in the event of their 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 the learned court concerned, Ara, Bhojpur in connection with Udwant Nagar P.S. Case No. 363 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

10. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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