

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9980 of 2024

Arising Out of PS. Case No.-226 Year-2022 Thana- RAMGARHWA District- East
Champaran

-
1. Bittu Singh @ Bittu Kumar Singh S/O SUDHIR SINGH @ PAPPU SINGH VILLAGE - MANGALPUR, P.S. - RAMGARHWA, DISTRCIT - EAST CHAMPARAN
 2. NISHA KUMARI D/O SUDHIR SINGH @ PAPPU SINGH VILLAGE - MANGALPUR, P.S. - RAMGARHWA, DISTRCIT - EAST CHAMPARAN
 3. POOJA KUMARI @ POOJA SINGH @ POOJA DEVI D/O SUDHIR SINGH @ PAPPU SINGH VILLAGE - MANGALPUR, P.S. - RAMGARHWA, DISTRCIT - EAST CHAMPARAN
 4. DIPU SINGH @ RAJPAL SINGH W/O SHRI NARAYAN SINGH @ SHIV NARAYAN SINGH VILLAGE - MANGALPUR, P.S. - RAMGARHWA, DISTRCIT - EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-02-2024 Heard learned Counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest in connection with Ramgahwa P.S. Case No. 226 of 2022 for the offence registered under sections 341, 323, 354, 307, 379, 504 and 34 of the Indian Penal Code lodged on 13.07.2022 by the informant Ranjeet Singh.



3. As per the prosecution story, the allegation is that when the informant was constructing straw house in his land, the accused persons came and claiming title, assaulted the informant. It is further alleged that when his son came to the rescue Bittu Singh @ Bittu Kumar Singh and Dipu Singh @ Rajpal Singh (petitioner nos. 1 and 4 respectively) assaulted him also. They also resorted to beating his wife and snatching of ornament/case. Accordingly, the FIR.

4. Learned Counsel for the petitioners submit that there is a case and counter case in the matter, though allegation of assault has been attributed to the petitioner nos. 1 and 4, the injuries have been found to be simple in nature. Further, there is omnibus allegation against the two ladies who are petitioner nos. 2 and 3. The last submission is that some of the accused persons against whom there was omnibus allegation has been allowed the privilege of anticipatory bail by a co-ordinate bench in Cr. Misc. No. 83209 of 2023.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the submissions put forward by the parties as also that there is a case and counter case, injuries have been found to be simple in nature and two of the



petitioners are ladies, this Court is inclined to extend them privilege of anticipatory bail.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Raxaul, East Champaran, Motihari in connection with Ramgahwa P.S. Case No. 226 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show their *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 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 their bail bonds;



(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Neha/-

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

