

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15069 of 2024

Arising Out of PS. Case No.-1063 Year-2023 Thana- SONEPUR District- Saran

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1. Sanjeev Singh @ Sanjeev Kumar Singh S/o Ram Lakshan Singh R/o Village- Kahrika, P.S.- Sonepur, District- Saran
 2. Rajeev Kumar Singh @ Sonu Singh @ Bukhar Singh S/o Ram Lakshan Singh R/o Village- Kahrika, P.S.- Sonepur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar Choudhary

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341, 323,
325, 324, 307, 353 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the
petitioners have been falsely implicated in the instant case by
the informant, who is a police officer. It is next submitted that
informant alleges that the police force had gone to arrest Rajiv
Kumar Singh @ Sonu Singh, and the accused were apprehended
also but then his family members started misbehaving with the
police and even assaulted the police force and in the ruckus,



Rajiv Kumar Singh fled.

4. The learned counsel submits that petitioners have been falsely implicated in the present case. It is next submitted that Rajiv Kumar Singh was made an accused in Sonpur PS Case No. 189 of 2006, Trial No. 1430 of 2023 in which non-bailable warrant of arrest was issued. It is next submitted that the police, in order to execute the non-bailable warrant of arrest, is alleged to have reached the house of Rajiv Kumar Singh for arresting. It is next submitted Rajiv Kumar Singh was not present at his house. It is also submitted that Rajiv Kumar Singh in Sonpur PS case No. 189 of 2006 after issuance of non-bailable warrant of arrest had already taken bail on 24-11-2023, as would manifest from Annexure-2 to the anticipatory bail application. It is next submitted that thereafter the non-bailable warrant of arrest was also withdrawn. It is next submitted that Rajiv Kumar Singh, who is petitioner No. 2 herein, was already availing his remedies available in law and since non-bailable warrant of arrest was issued as such he had left the house. It is submitted that when Rajiv Kumar Singh has already been granted regular bail in Sonpur PS Case No. 189 of 2006, no useful purpose would be served by sending him to judicial custody in the instant case when he was not even physically



present at the place of occurrence, but since the police had come to the house and there was an altercation with the family members hence he also came to be implicated. It is further submitted that as far as petitioner No. 1 is concerned, allegation against him is general and omnibus in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sonapur P.S. Case No. 1063 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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