

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19857 of 2024**

Arising Out of PS. Case No.-367 Year-2023 Thana- RAJPUR District- Buxar

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1. Vijay Singh Son Of Parashuram Singh R/O-Raghunathpur, P.S.-RAJPUR, Distt.-BUXAR
  2. Nitish Kumar @ Kalpu Singh Son Of Vijay Singh R/O-Raghunathpur, P.S.-RAJPUR, Distt.-BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      02-04-2024                      Heard Mr.Ravi Shankar Pathak, learned counsel for the petitioners and Mr.Zainul Abedin, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rajpur P.S.Case No.367 of 2023, FIR dated 26.10.2023 registered for the offences punishable under Sections 148, 149, 341, 323, 324, 307, 379, 147, 504, 506/34 of the Indian Penal Code.

3. Allegation against petitioner No.1, namely, Vijay Singh is that he inflicted lathi blow on the hand of the informant's daughter Puja Kumari, due to which she sustained cut on her finger and allegation against petitioner No.2, namely,



Nitish Kumar @ Kalpu Singh, is that he alongwith co-accused Jung Bahadur Singh has inflicted lathi blow on Bharat Singh due to which he got injured.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. As per FIR, allegation against petitioner No.1, namely, Vijay Singh is that he assaulted to the daughter of the informant but there is no injury report available on the record which suggests that the daughter of the informant has received any injury and allegation against petitioner No.2, namely, Nitish Kumar @ Kalpu Singh, is that he assaulted to Bharat Singh, although Bharat Singh has received injury but the injury report of Bharat Singh suggests that the injury is simple in nature. There is case and counter case and petitioner No.1 has filed Rajpur P.S.Case No.369 of 2023 against the informant and his family members for the same set of occurrence.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent and injury inflicted upon the injured person is simple in nature, let the petitioners, above named, in the event



of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Buxar in connection with Rajpur P.S. Case No.367 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) 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 antecedents, 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.

(Rajesh Kumar Verma, J)

Nitesh/-

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