

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23068 of 2024

Arising Out of PS. Case No.-527 Year-2023 Thana- JAGDISHPUR District- Bhojpur

1. Sheo Kumar Singh
2. Nand Kumar Singh.
Both son of Late Sheo Prasad Singh.
3. Jang Bahadur Singh son of Gulab Singh.
All are R/o Village- Karan Tola Ps- Jagdishpur Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Priya, Advocate
	:	Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s :	:	Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2024 Heard Ms. Priya, learned counsel for the petitioners
and Mr.Arun Kumar Pandey, learned Additional Public
Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Jagdishpur P.S.Case No.527 of 2023, FIR
dated 14.12.2023 registered for the offences punishable under
Sections 147,149,341,323,307,325,324,448,354,506 of the
Indian Penal Code.

3. The prosecution case, in shor, is that on 12.12.2023
at about 6:30 PM when she was sitting at her doors accused
Shiv Kumar Singh, Nand Kumar Singh, Bir Bahadur Singh,



Jang Bahadur Singh, Kanhiya Singh, Dhanjee Singh, Vishal Kumar Dharmendra Kumar and Upendra Kumar forming an unlawful assembly and armed with weapons came at her agricultural land to plough it which was objected by her son Lal Babu Singh. The accused caught hold of her son Lal Babu Singh and accused Upendra Kumar assaulted him by Farsa which hit him on his nose causing injury at his nose. At the instigation of Shiv Kumar Singh, accused Bir Bahadur Singh took out a country made pistol and fired but the bullet did not hit anyone. In the meantime, accused Nand Kumar Singh assaulted the informant's son Lal Babu Singh by iron Sabal at his thigh. When informant's grand children Dadan Singh and Nitish Kumar came to save Chandan, accused Dharmendra Kumar assaulted Dadan Singh by rama at his head causing head injury and also assaulted Nitish Kumar. When informant went to save them accused Jang Bahadur Singh @ Algu Singh caught hold of her hair and pulled her. The accused also threatened the informant and her family members of dire consequence.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case due to admitted land dispute between the parties and both the parties are agnates and Title



Suit No.262 of 2022 is pending between the parties and there is case and counter case and co-accused persons, namely, Bir Bahadur Singh and Anr. have been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 15.04.2024 passed in Cr. Misc. No.22928 of 2024.

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, 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 Additional Chief Judicial Magistrate, Bhojpur at Ara in connection with Jagdishpur P.S.Case No.527 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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