

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28186 of 2024

Arising Out of PS. Case No.-91 Year-2023 Thana- TEYAR District- Bhojpur

1. Dinesh Kumar Singh @ Dinesh Singh
2. Umesh Kumar Singh @ Umesh Singh.
Both sons of Late Rambahadur Singh Vill- Uttardahan Ps-Tiyar Dist-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2024 Heard Mr.Prabhat Kumar Singh, learned counsel for

the petitioners and Mr.Ram Sumiran Rai, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Tiyar P.S.Case No.91 of 2023, FIR dated
30.12.2023 registered for the offences punishable under
Sections 341,323,307,379,504,506,34 of the Indian Penal Code.

3. The prosecution story in short is that one Krishna
Kumar Singh given written application to O/C Tiyar with
allegation that on 29.12.2023 at 2.00 A.M. loaded rice (paddy)
on tractor in the meantime Umesh Singh, Dinesh Singh, Ram
Kumar Singh come and abuses when informant objected then



they call their family member by telephone and call Prem Singh, Guddu Singh, Yogendra Singh come their with lathi and attack on Brij Kumar Singh in the meantime Umesh Kumar Singh coming with Rama and also attack the informant sustain injury on head it is further alleged Dinesh Kumar and Ram Kumar Singh attack Santosh Singh and Santosh also sustained head injury and fell down become unconscious thereafter Prem Singh Guddu Singh, Yogendra Singh attack, Ramesh Singh and taken 5000/- only from pocket.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although, there is specific allegation against the petitioners that they have assaulted to the informant and his family members but the injury report of the informant and his family members suggests that the injury is simple in nature caused by hard and blunt substance and there is case and counter case.

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 the injury inflicted upon the informant's



side 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 Judicial Magistrate, Bhojpur at Ara in connection with Tiya P.S.Case No.91 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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