

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27572 of 2024

Arising Out of PS. Case No.-203 Year-2023 Thana- ADAPUR District- East Champaran

1. Abhay Singh @ Abhay Kishore Singh SON OF LATE HRIDAYA NARAYAN SINGH RESIDENT OF VILLAGE- CHIKNI, PS- HARPUR, (ADAPUR)M DISTT- EAST CHAMPARAN
2. MANJIT SINGH @ MANJIT KUMAR SINGH @ PINTU SINGH SON OF RAJ KISHORE SINGH RESIDENT OF VILLAGE- CHIKNI, PS- HARPUR, (ADAPUR)M DISTT- EAST CHAMPARAN
3. SANJEEV SINGH @ RUPAK SINGH @ SANJEEV KUMAR SON OF ABHAY SINGH @ ABHAY KISHORE SINGH RESIDENT OF VILLAGE- CHIKNI, PS- HARPUR, (ADAPUR)M DISTT- EAST CHAMPARAN
4. RANJAN SINGH @ RANJAY SINGH SON OF SHAMBHU SINGH RESIDENT OF VILLAGE- CHIKNI, PS- HARPUR, (ADAPUR)M DISTT- EAST CHAMPARAN
5. DAMRU SON OF LATE MADAN SINGH RESIDENT OF VILLAGE- CHIKNI, PS- HARPUR, (ADAPUR)M DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 30076 of 2024

Arising Out of PS. Case No.-203 Year-2023 Thana- ADAPUR District- East Champaran

Prem Singh @ Prem Kishore Singh SON OF HRIDYA NARAYAN SINGH
RESIDENT OF VILLAGE- CHIKANI PS- HARPUR (ADAPUR), DIST-
EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrsx.Vaishnavi Singh, Advocate
For the Opposite Party/s :	Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER



2 21-05-2024 Heard Mrs. Vaishnavi Singh, learned counsel for the petitioners in both the cases and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Adapur (harpur) P.S. Case No. 203 2023 registered under Sections 147, 148, 149, 341, 323, 427, 324, 325, 307, 448 and 504 of the Indian Penal Code and Section 27 of the Arms Act lodged on 10.07.2023 by the informant, Pappu Singh.

3. As per the prosecution story, the informant alleged that his uncle had gone to U.S. and he was taking care of his property. Further, the constructed toilet of his uncle was demolished by the accused persons and upon protest, allegation is that Dipak Singh and Mantu Singh assaulted the informant with 'axe' and 'lathi' causing injury. Further, Prem Singh @ Prem Kishore Singh (petitioner in Cr. Misc. No. 30076 of 2024) and Sumit Ranjan Singh @ Gopi Singh assaulted his family members again using 'rod' and 'axe'. He was also injured. The allegation of firing is also there on Prem Singh @ Prem Kishore Singh (petitioner in Cr. Misc. No. 30076 of 2024). The agnates came and took them to Adapur Primary Health Centre for treatment. This followed the FIR.

4. Learned counsel for the petitioner submits that



there is case and counter case, exaggerated FIR, a *panchayti* had taken place as the construction was made on a public land, Sections 107 and 144 of the Cr. P.C. proceeding are going on and in that background, they deserved relief.

5. Learned APP points out that so far as Prem Singh @ Prem Kishore Singh (petitioner in Cr. Misc. No. 30076 of 2024) is concerned, specific allegation is against him and Sumit Ranjan is of assaulting the informant's son, Mukul Singh.

6. Considering the aforesaid facts as also the allegation that has come against the Prem Singh @ Prem Kishore Singh of (Petitioner in Cr. Misc. No. 30076 of 2024), his anticipatory bail application stands rejected.

7. So far as petitioners in Cr. Misc. No. 27572 of 2024 is/are concerned, taking into account the omnibus allegation that is/are against them as also in that background, a case and counter case and the proceeding under different sections of the Cr.P.C., this Court is inclined to grant them privilege of anticipatory bail.

8. Let the petitioners (in Cr. Misc. No. 27572 of 2024), namely, Abhay Singh @ Abhay Kishore Singh, Manjit Singh @ Manjit Kumar Singh @ Pintu Singh, Sanjeev Singh @ Rupak Singh @ Sanjeev Kumar, Ranjan Singh, Ranjay Singh @



Ranjay Singh and Damru 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 Judicial Magistrate, 1st Class, East Champaran at Motihari in connection with Adapur (Harpur) P.S. Case No. 203 of 2023, 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/relative of the petitioners who shall provide official document to show his/her *bona fide*;

(ii) the petitioners (in Cr. Misc. No. 27572 of 2024) 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 (in Cr. Misc. No. 27572 of 2024) shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners (in Cr. Misc. No.27572 of 2024) 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;

(v) the petitioners (in Cr. Misc. No. 27572 of 2024)
shall desist from committing any criminal offence again failing
which the State shall be at liberty to take steps for cancellation
of the bail bonds.

(Rajiv Roy, J)

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