

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29239 of 2024**

Arising Out of PS. Case No.-53 Year-2024 Thana- MADHAURAH District- Saran

- 
1. Kameshwar Singh, Male, aged about 62 years, son of Late Devdat Singh,
  2. Shrawan Kumar @ Shrawan Kumar Singh, Male, aged about 21 years, son of Kameshwar Singh,  
Both resident of Village- Bishnupur Jagdish, PO- Amnour, PS- Madhowra, Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Devi, female, aged about 40 years, wife of Rambacchan Singh, Village- Bishnupur Jagdish, Ward No-8, PO- Amnour, PS- Madhowra, Dist- Saran

... .. Opposite Party/s

---

**Appearance :**

|                              |   |                                                                                                                              |
|------------------------------|---|------------------------------------------------------------------------------------------------------------------------------|
| For the Petitioner/s         | : | Mr. Vishal Vikram Rana, Advocate<br>Ms. Misha Bharti, Advocate<br>Ms. Ananya Shivani, Advocate<br>Mr. Aditya Singh, Advocate |
| For the State                | : | Mr. Yogendra Kumar, APP                                                                                                      |
| For the Opposite Party No.2: | : | Mr. Manish Chandra Gandhi, Advocate                                                                                          |

---

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      15-05-2024                      Heard learned counsel for the petitioners; learned Additional Public Prosecutor for the State and learned counsel for the informant, who has appeared *suo motu*.

2. The petitioners apprehend arrest in connection with Marhowra PS Case No.53 of 2024 dated 24.01.2024, instituted under Sections 341, 323, 307, 504, 506, 447/34 of the Indian Penal Code.

3. The allegation against the petitioners is that they along with other accused persons came at the door of the



informant having *lathi*, *danda*, *daab*, sword etc. in their hands and assaulted her by means of fists and slaps. It is alleged that accused, Vivek Kumar Singh, assaulted the informant on her head by means of *Daab*. The reason behind the occurrence is previous enmity.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that there is specific allegation of assault against Vivek Kumar Singh that he assaulted the informant by means of *Daab* on her head. There is no specific allegation against the petitioners, rather, allegation against the petitioners is general and omnibus. Lastly, it has been submitted that two criminal cases are pending against the petitioners.

5. Learned APP as well as learned counsel for the informant has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra, in Marhowra



PS Case No.53 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973, and further (i) that the petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed 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) that one of the bailors will be their own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailors shall also state on affidavit that they will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that 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.

7. The application stands allowed.

**(Khatim Reza, J)**

J. Alam/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

