

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40678 of 2024

Arising Out of PS. Case No.-528 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Vijay Singh @ Vinay Kumar Singh @ Vinay Kumar Son Of Jai Ram Singh
R/O - Vill- Gadaha, P.S- Udwant Nagar, Dist- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 40841 of 2024

Arising Out of PS. Case No.-528 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

1. Rang Bahadur Singh Son of Jagan Yadav R/O Vill.- Gadaha, P.S.- Udwant Nagar, Dist.- Bhojpur
2. Shashi Bhushan Kumar @ Shashi Kumar @ Shashi Kumar Singh Son of Vijay Singh R/O Vill.- Gadaha, P.S.- Udwant Nagar, Dist.- Bhojpur

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40678 of 2024)

For the Petitioner/s : Mr. Tejpratap Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

(In CRIMINAL MISCELLANEOUS No. 40841 of 2024)

For the Petitioner/s : Mr. Tejpratap Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-07-2024 Since both the applications arise out of Udawant Nagar P.S. Case No. 528 of 2023, as such, they have been taken up together and are being disposed of by this common order.

02. Heard learned counsel for the petitioners and learned APPs for the State.



03. In this present case, the petitioners are apprehending their arrest in connection with Udawant Nagar P.S. Case No. 528 of 2023, registered on 28.12.2023 for the offences under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code.

04. As per prosecution case, while the informant has been coming to his house on his motorcycle, the petitioners and other co-accused persons stopped his motorcycle and started abusing and assaulting him with slaps and fists. The allegation against petitioner Vijay Singh is that he struck on the head of the informant with *lathi* causing fracture. Other co-accused persons snatched a bag containing Rs.10,000/- from the informant.

05. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. There is counter version as the petitioners' side has lodged Udawant Nagar PS Case No. 02 of 2024 under Sections 324, 354, 379, 504, 506/34 of IPC against the informant side. Learned counsel further submits that though there is allegation against the petitioner Vijay Singh of causing fracture on the head of the informant, the injury report of the informant shows no significant abnormality in brain parenchyma and the nature of



injury is simple caused by hard and blunt object. There is further allegation against other petitioners and co-accused person, but no corresponding injuries have been found. The petitioners are having criminal antecedent of one case in which they are on bail.

06. Learned APPs oppose the prayer for anticipatory bail.

07. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and further considering the absence of any serious injury coupled with possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara/concerned court in connection with Udawant Nagar P.S. Case No. 528 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the



petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

