

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28172 of 2024

Arising Out of PS. Case No.-241 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

Kari Singh @ Kare Singh @ Ramanuj Singh Son of Rajendra Singh @
Rajindra Singh Resident of Village- Akashpur (Akaspur), Ward No. 10,
Rachiyahi, P.S. Muffasil, Singhoul O.P., District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 45130 of 2024

Arising Out of PS. Case No.-241 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

CHHOTELAL SINGH @ CHHOTAN SINGH SON OF RAVINDRA SINGH
@ RABINDRA SINGH VILLAGE- AKASHPUR (AKASPUR), P.S.-
MUFFASIL (SINGHOUL O.P.), DISTT.- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 28172 of 2024)

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 45130 of 2024)

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-07-2024

Heard the parties.

2. The petitioners are apprehending their arrest in
connection with Muffasil P.S. Case No. 241 of 2023 for the
offence under sections 147, 148, 149, 323, 324, 325, 307, 353,
332, 333, 337, 338 of the I.P.C. lodged on 28.04.2023 by the



informant, Deepak Kumar.

3. As per the prosecution story, the police upon information, went to arrest Vivek Kumar who had Rs. 50,000/- prize on his head. However, the locals tried to protect him and started assaulting the petitioner by means of lathi causing injury to them. They were taken to Sadar Hospital, Begusarai for treatment. From the videography, the name of accused persons came, petitioner being one of them. Accordingly, the FIR.

4. Learned Counsel for the petitioners submit that firing took place, they also reached the spot, the faces came in the videography and in that background, they landed in the present case. The police implicated them only because they have criminal antecedent.

5. Further, irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intend to contribute Rs. 2,000/- each (totalling Rs. 4,000/-) to the Chief Minister's Relief Fund.

6. Learned APP opposes the prayer stating that they has been implicated on the basis of the videography.

7. Taking into account the aforesaid facts as also the submissions put forward by the parties, no specific role of the petitioners have come up, on the basis of videography, they have



been rounded up, this Court is inclined to extend them privilege of anticipatory bail subject to payment of Rs. 2,000/- each (totalling Rs. 4,000/-) as undertaken by the learned counsel for the petitioners.

8. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Muffasil P.S. Case No. 241 of 2023 subject to the conditions 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 their bona fide;

(ii) the petitioners 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 shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners 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 shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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