

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48598 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- DIGHWARA District- Saran

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1. RAJESHWAR SINGH, SON OF LATE PRABHU NATH SINGH @ LATE PRABHU SINGH RESIDENT OF VILLAGE- NIJAMCHAK (NIJAMCHAK UNHACHAK), P.S. - DIGHWARA, DISTRICT - SARAN
 2. PREM KUMAR SINGH, SON OF RAJESHWAR SINGH RESIDENT OF VILLAGE- NIJAMCHAK (NIJAMCHAK UNHACHAK), P.S.- DIGHWARA, DISTRICT - SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-08-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Dighwara P.S. Case no. 41 of 2024 registered under sections 341, 323, 324, 325, 354, 353, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, it is stated in the F.I.R. that on the informant along with others having gone to arrest the petitioner no.2 in connection with another case in which warrant was issued against him, it is stated that the suspect was caught and was asked to produce the documents with respect to his identity. At this time, it is stated that two other persons started to



scuffle with the police personnel and started to hurl abuses. Thereafter, Arvind Kumar Singh started to pull the female constable and Rajeshwar Singh facilitated the escape of the petitioner no. 2. Both of them escaped.

4. Learned counsel for the petitioners submits that the petitioner no. 1 Rajeshwar Singh having been arrested during pendency of this application, he seeks permission to withdraw this application so far as he is concerned.

5. The application for anticipatory bail of the petitioner no.1 Rajeshwar Singh stands dismissed as withdrawn.

6. Learned counsel for the petitioner no.2 submits that the allegations levelled in the F.I.R. are false and concocted. No such occurrence has taken place. On 22.2.2024, the petitioner no.2 surrendered in the other case ie Trial no. 2473 of 2023 lodged under the N.I. Act and was released on bail on the same day by order dated 22.2.2024 passed by the learned Judicial Magistrate Ist Class, Chapra (Saran). He is not accused in any other case besides the said case.

7. The application for anticipatory bail is opposed by learned A.P.P. for the State.

8. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the



petitioner no.2 in the F.I.R., the petitioner no.2 having already been enlarged on bail in the connected case and in the facts and circumstances of the case, it is directed that the petitioner no.2, namely, Prem Kumar Singh, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Dighwara P.S. Case no. 41 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Chapra at Saran.

(Partha Sarthy, J)

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