

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51084 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- BARHARA District- Bhojpur

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1. Mahendra Singh, son of Late Nathuni Singh Resident of Village - Gundi, PS- Barhara (Krishnagarh), Dist- Bhojpur
 2. Ranvir Singh @ Nandjee Singh, son of Mahendra Singh Resident of Village - Gundi, PS- Barhara (Krishnagarh), Dist- Bhojpur
 3. Dhananjay Singh @ Jiyalal Singh, son of Mahendra Singh Resident of Village - Gundi, PS- Barhara (Krishnagarh), Dist- Bhojpur
 4. Bittu Kumar Singh @ Bittu Singh @ Anand Mohan Kumar Singh, son of Dharamvir Singh @ Butan Singh Resident of Village - Gundi, PS- Barhara (Krishnagarh), Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Kumar
For the Opposite Party/s : Ms.Rita Verma
Mr.Shiv Prasad Gupta
Mr.Sameer Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 29-07-2024 1. Heard learned counsel for the petitioners, the learned counsel appearing on behalf of the informant and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 448, 354B, 307, 379, 504 and 506 of the Indian Penal Code.
3. The learned counsel for the petitioners submits



that the petitioners are persons with clean antecedent and the informant alleges that the accused persons including the petitioners along with their women folk came and broke the *Naad* of her brother in-law, who was feeding the cow. Further, on orders of Mahendra Singh, accused Dharamvir Singh assaulted Shivnand Singh on head by an iron stick causing injury. Thereafter, Aman, Bittu, Anand, Nandani and Reena assaulted the victim by stick and bricks. Further, Dharamvir tore the blouse of her Bhabhi Urmila. It is next alleged that Aman took out earring worth Rs.25,000/- and Mahendra snatched gold coin from neck of the injured worth Rs.85,000/-.

4. The learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the entire family has been implicated with general and omnibus allegation. It is next submitted that specific allegation of assaulting Shivnand is against Dharamvir by an iron causing on head. It is also submitted that it was informant, who was the aggressor as Shivanand (injured of the present case) and others were



throwing waste in the cowshed of the petitioners, which was objected, on which Shivnand and others assaulted the side of the petitioners for which Barhara P. S. Case No. 94 of 2024 has been instituted. It is not submitted that no doubt, Shivanand suffered grievous injury, but then, from the side of the petitioners also persons have received injury, but then, specific allegation of assaulting Shivnand is against Dharamvir and the allegation of assault against the present petitioners is general, omnibus and ornamental in nature. It is also submitted that Dharmavir is not the petitioner in the instant anticipatory bail application.

5. The learned counsel for the informant as well as Learned A.P.P. opposes the anticipatory bail application, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that specific allegation of assaulting the victim is against Dharamvir and as far as instant petitioners are concerned, the allegation against them are general and omnibus in nature.

6. Considering the submissions made by the



learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Barhara P. S. Case No.95 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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