

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51545 of 2024

Arising Out of PS. Case No.-101 Year-2023 Thana- PIRI BAZAR District- Lakhisarai

1. Sanjay Singh @ Sanjay Kumar Singh Son of Late Hardev Singh Resident of Village - Rampur Chokra, P.S.- Piri Bazar, District - Lakhisarai.
2. Saket Kumar Sri Sanjay Singh @ Sanjay Kumar Singh Resident of Village - Rampur Chokra, P.S.- Piri Bazar, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Sinha, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2024 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 504, 308 & 506/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner no.1 has antecedent of three cases and petitioner no.2 has antecedent of two cases.

4. Learned counsel for the petitioners submits that petitioners have moved earlier seeking anticipatory bail by filing Cr. Misc. No. 36344 of 2024 the same was disposed of by an



order dated 20.06.2024 in terms of the order dated **13.02.2024** in **Cr. Misc. No. 3536 of 2024 Naushad Ansari vs. State of Bihar**. It is submitted that when Cr. Misc. No. 36344 of 2024 was taken up for consideration, by that time charge-sheet was submitted and cognizance was taken but the said fact could not be brought to the notice of the Court as such the petitioner filed a Modification Application seeking modification of the order dated 20.06.2024 in Cr. Misc. No. 36344 of 2024 by filing Cr. Misc. No. 49089 of 2020 but the same was disposed of by an order dated 05.07.2024 with a liberty to the petitioner to file a fresh anticipatory bail application. It is submitted that in terms of the liberty granted by an order dated 05.07.2024 in Cr. Misc. No. 49089 of 2024 the instant anticipatory bail application has been filed.

5. Learned counsel for the petitioners submitted that the petitioners were never given the privilege of police bail. It is further submitted that the petitioners have been falsely implicated in the instant case by the informant, as the police after threadbare investigation came to a considered conclusion that petitioners are innocent and thus submitted final form bearing No. 135 of 2023 dated 14.08.2023 but the learned Magistrate differing with the police report in a mechanical



manner took cognizance. It is next submitted that when one investigating agency after threadbare investigation came to considered conclusion that petitioners were innocent whether it would be prudent for this Court to send the petitioners to jail.

6. Learned APP for the State opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Piri Bazar P.S. Case No. 101 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Accordingly, the application stands allowed.

(Satyavrat Verma, J)

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