

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53047 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- SHIVSAGAR District- Rohtas

1. Sanjharo Devi Wife Of Ram Ashish Singh @ Ramashish Singh Village- Mor, Ps- Shiv Sagar, District -ROHTAS
2. Kanchan Devi Wife Of Manoj Singh Village- Mor, Ps- Shiv Sagar, District -ROHTAS
3. Upendra Singh @ Upendra Kumar Son Of Ram Ashish Singh @ Ramashish Singh Village- Mor, Ps- Shiv Sagar, District -ROHTAS
4. Ramashish Singh @ Ram Ashish Singh Son Of Late Kundan Singh Village- Mor, Ps- Shiv Sagar, District -ROHTAS
5. Karan Singh @ Karan Kumar Son Of Ram Ashish Singh @ Ramashish Singh Village- Mor, Ps- Shiv Sagar, District -ROHTAS
6. Yogendra Singh Son Of Ram Ashish Singh @ Ramashish Singh Village- Mor, Ps- Shiv Sagar, District -ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra
For the Opposite Party/s : Mr.Rajendra Prasad Nat
Mr. Babu Nandan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-07-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the Informant.
2. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 3, Upendra Singh @ Upendra Kumar.
3. Permission is accorded.
4. The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 341, 323, 326, 379, 504, 506 and 34 of the Indian Penal Code and later on Section 307 of IPC is added in place of Section 379 of IPC.

5. Learned counsel for the petitioners submits that the petitioner Nos. 1, 2 and 5 are persons with clean antecedent and petitioner No. 1 and 2 are women and petitioner Nos. 4 and 6 have antecedent of one case and the informant alleges that on account of land dispute, accused persons came and assaulted her son and when her husband came to save his son, accused persons assaulted him and Upendra Singh assaulted him by *Gahadal* causing fracture of waist.

6. Learned counsel for the petitioners submits that from perusal of allegation as alleged in the FIR, it would manifest that the entire family members including women members have been implicated in the instant case by the informant. It is also submitted that the allegation of assaulting against the petitioners is general and omnibus in nature, though specific allegation of assaulting her husband is against Upendra Singh and even the injury suffered by the injured is simple in nature except one injury on waist which is alleged to have been caused by Upendra Singh.

7. Learned A.P.P. for the State and learned counsel



appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioners, but then are not in a position to rebut the submission of the learned counsel for the petitioners that allegation of assault is general and omnibus in nature and specific allegation of assaulting the husband of the informant causing grievous injury is against Upendra Singh.

8. Considering the submissions made by the learned counsel for the petitioners, the petitioner Nos. 1, 2, 4, 5 and 6, above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shiv Sagar P.S. Case No. 50 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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