

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58554 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- KESARIA District- East Champaran

1. Shambhu Singh Son Of Ambika Singh R/O Vill.- Kushhar Keshariya, P.S.- Kesariya, Dist.- East Champaran.
2. Om Prakash Singh Son Of Shambhu Singh R/O Vill.- Kushhar Keshariya, P.S.- Kesariya, Dist.- East Champaran.
3. Vikash Kumar Singh @ Vikash Singh Son Of Mahesh Singh R/O Vill.- Kushhar Keshariya, P.S.- Kesariya, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhurendra Kumar, Adv.
For the State	:	Mr. Dilip Kumar No. 1, APP
For the Informant	:	Mr. Vijay Shankar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-11-2024 Heard Mr. Dhurendra Kumar, learned counsel for the petitioners, Mr. Dilip Kumar No. 1, learned A.P.P. for the State and Mr. Vijay Shankar Shrivastava, learned counsel for the informant.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no.1.

3. Permission is granted.

4. Accordingly, the instant application with regard to petitioner no. 1 is dismissed as withdrawn.

5. However, if the petitioner no. 1 surrenders before



the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

6. Now this application is being heard only with regard to petitioner nos. 2 and 3.

7. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

8. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 143, 341, 323, 325, 354, 307, 379, 504, 384, 506 of the Indian Penal Code.

9. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant's side.

10. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is land dispute between the parties. He further submits that the injured person has sustained simple injury. Petitioners have one criminal antecedent as mentioned in para-3 of this



application.

11. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

12. Having regard to the facts and circumstances of the case and the nature of the injury, let the above named petitioners no. 2 and 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kesariya P.S. Case No.99 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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