

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84863 of 2023

In
CRIMINAL MISCELLANEOUS No.27300 of 2021

Arising Out of PS. Case No.-16 Year-2020 Thana- RANIYATALAB District- Patna

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1. Dinesh Singh @ Dinesh Kumar Son Of Kapildev Singh @ Kapil Deo Singh Resident Of Village - Misarpura Kabh, Police Station - Rani Talab, District – Patna.
 2. Ramesh Singh Son Of Kapildev Singh @ Kapil Deo Singh Resident Of Village - Misarpura Kabh, Police Station - Rani Talab, District – Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ravi Shankar Sharma Son Of Dharmendra Kumar Resident Of Village - Nisarpura, Police Station - Ranitalab, District – Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-01-2024 Heard the parties.

2. This application has been filed on behalf of the petitioners for modification in the order dated 09.03.2022 passed in Cr. Misc. No. 27300 of 2021.

3. The following order was passed on 09.03.2022 in Cr. Misc. No. 27300 of 2021:-

Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioners apprehend their arrest in connection with Rani Talab P.S. Case No. 16 of 2020 registered for the offences punishable under Sections



341, 448, 323, 324, 307, 379, 504, 34 of the Indian Penal Code.

It has been submitted by the parties that both parties are agnates and the dispute is of trivial nature. The injury sustained by the informant is simple in nature and there is a compromise between the parties, and sending the petitioners to jail will cause more dispute between the parties.

Considering the submissions of the petitioners, they are granted anticipatory bail subject to the fact that there has been a compromise between the parties.

Accordingly, let the petitioners above named be released on bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Danapur, Patna in connection with Rani Talab P.S. Case No. 16 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

The Court below will accept the bail bond of the petitioners if the compromise petition is produced by the other side and if the compromise is not supported by the other side then the petitioners shall be taken into custody.

With the aforesaid observations and directions, the anticipatory bail application is disposed of.

4. After the petitioners were granted anticipatory bail on the basis of compromise petition, the informant filed an application and has not supported the compromise petition.

5. It appears that the application of the informant dated 8.3.2022 is nothing but an afterthought and the informant is now trying to resile from the compromise.

6. On perusal of the injury report, it appears that the injuries are simple in nature and considering the same and the



totality of circumstances, the present application is allowed.

7. Accordingly, the order dated 9.3.2022 is modified to the extent that "let the petitioners above named be released on anticipatory bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today (05.01.2024), on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Danapur, Patna in connection with Rani Talab P.S. Case No. 16 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C."

(Sandeep Kumar, J)

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