

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56430 of 2024**

Arising Out of PS. Case No.-424 Year-2024 Thana- SONEPUR District- Saran

1. Prince Kumar Son of Jitendra Singh R/V- Village- Shahpur, P.S.- Sonepur, Distt.- Saran
2. Sanjeet Kumar Son Of Shiv Kumar Singh R/V- Village- Shahpur, P.S.- Sonepur, Distt.- Saran
3. Saurabh Singh Son Of Shatrudhan Singh R/V- Village- Dudhaila Gachi, P.S.- Sonepur, Distt.- Saran

... .. Petitioner/S

Versus

## The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Mili Kumari

For the Opposite Party/s : Mr.Rabindra Kumar- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**

## ORAL ORDER

2      05-09-2024                      1. Heard learned counsel for the petitioners 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 341, 323, 307, 504, 506, 341 of the Indian Penal Code and Section 27 of the Arms Act.

3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of two cases, petitioner no.2 is a person with clean antecedent and petitioner no.3 has antecedent of one case and the informant alleges that his son Rahul had some differences with Shivam on 17.05.2024, hence



Shivam threatened of dire consequences. Thereafter, on the same day i.e. 17.05.2024, Shivam along with Prince, Sanjeet, Saurabh and others came to his house and forcefully made Rahul to sit on his motorcycle, on which informant tried to save his son, but was assaulted by butt of gun causing injury on head and the accused persons also fired, hence on hearing gunshot and alarm neighbours gathered and objected the act of the accused persons. Hence, accused persons fled on their motorcycles firing in the air.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that thrust of the allegation is against Shivam. It is also submitted that Shivam was apprehended by the villagers and he was handed to the police, but then, he has been granted the privilege of regular bail by the learned District Court, as such, no useful purpose would be served by sending the petitioners to jail when allegation against them is general and omnibus in nature. It is also submitted that from the side of the petitioners Sonapur P. S. Case No.425 of 2024 was instituted by the father of Shivam against informant and others. It is also submitted that as far as allegation of firing in the air is alleged, the same is ornamental as no one was



injured in firing nor any cartridges were recovered from the place of occurrence.

5. Learned A.P.P. Sri Rabindra Kumar opposes the anticipatory bail application and submits that though a plea has been taken that Shivam was apprehended and handed over to the police and thereafter was granted the privilege of regular bail by the learned District Court, but no pleading to such effect is there in the anticipatory bail application, but then, does not dispute that allegation against the petitioners of assaulting is general and omnibus in nature, on which the learned counsel appearing on behalf of the petitioners submits that though no pleading has been made in the anticipatory bail application, but then, a submission was made by the learned counsel appearing on behalf of the petitioners before the learned District Court that Shivam Singh was granted the privilege of regular bail in B.P. No.1012 of 2024 and the same stands recorded in the order impugned.

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. 25,000/-



(Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra in connection with Sonepur P. S. Case No.424 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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