

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64735 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- CHAUTHAM District- Khagaria

1. Shalo Singh @ Shailendra Singh S/O Picharu Singh @ Pichhendra Singh Resident Of Vill- Nawada, Ps- Chautham, District- Khagaria
2. Mantu Singh S/O Picharu Singh @ Pichhendra Singh Resident Of Vill- Nawada, Ps- Chautham, District- Khagaria
3. Vilendra Singh @ Bauku Singh S/O Picharu Singh @ Pichhendra Singh Resident Of Vill- Nawada, Ps- Chautham, District- Khagaria
4. Chandan Singh @ Chandan Kumar S/O Shubhuklal Singh R/O Vill - Nawada, P.S.- Chautham, Distt. - Khagaria
5. Vinodi Choudhary S/O Laxmi Choudhary R/O Vill - Pacchhattar, Ward No. 11, P.S. - Chautham, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

1. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 354, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

2. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that the accused persons including the petitioners on 24.03.2024 came to her house at 9:30 PM and started abusing her, on protest, they assaulted, further that her son came to save her, accused assaulted him causing injury on head and hand,



thereafter, Manoj fired at her son but the fire missed her son but the bullet hit villager, Lutan Singh who was admitted in a hospital and the reason for the occurrence is that her grandson had taken *khar* to give in *sammata*.

3. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from the side of the petitioners Chautham P.S. Case No. 85 of 2024 has been instituted against the side of the informant and others. It is also submitted that in the said F.I.R., it has been specifically alleged that it was Sanjay who fired causing injury to Lutan Singh and the instant F.I.R. came to be instituted by way of counterblast alleging that it was Manoj who fired causing injury to Lutan Singh. Learned counsel for the petitioners next submits that even presuming what has been alleged is true without admitting that there is no specific allegation alleged against the petitioners either of assault or firing, but then, it is submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence. It is also submitted that specific allegation of firing is against Manoj.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



5. 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 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 Chautham P.S. Case No. 86 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, if the Investigating Officer of the case filed an application before the learned trial court bringing to its notice that petitioners despite giving assurance to this Court are not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

7. Let a copy of this order be sent to the concerned police station through the learned trial court.

(Satyavrat Verma, J)

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