

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74593 of 2023**

Arising Out of PS. Case No.-251 Year-2023 Thana- BOCHAHAN District-
Muzaffarpur

- =====
1. RAM PRAVESH SINGH @ JULFI SINGH Son of Late Madan Prasad Singh
R/o vill - Balthi Rasulpur, P.S. - Bachahaon, Distt. - Muzaffarpur
 2. RANDHIR SINGH @ RANDHIR KUMAR S/o LALAN SINGH R/o vill -
Balthi Rasulpur, P.S. - Bachahaon, Distt. - Muzaffarpur
 3. MANISH SINGH @ MANISH KUMAR S/o LATE SACHITA NAND SINGH
R/o vill - Balthi Rasulpur, P.S. - Bachahaon, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 05-03-2024 Heard Mrs. Bela Singh, learned counsel for the

petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Bochahan P.S. Case No. 251 of 2023 registered for the
offence under Sections 341, 342, 323, 324, 307, 379, 325, 447,
504, 506 and 34 of the Indian Penal Code lodged on 23.05.2023
by the informant, Parmanand Singh.

3. As per the prosecution story, the informant alleged
that a Panchayati was held in his village pertaining to land and
the dispute with his co-sharer, Rampravesh Singh @ Julfi Singh.
However, not satisfied with the decision of the Panchayat, the



accused persons including the petitioners came to his door and petitioner No.2, Randhir Singh, assaulted him repeatedly by a sword on his head causing injury on his head and back. So far as petitioner No.3, Manish Singh @ Manish Kumar is concerned, the allegation against him is that he assaulted the informant with iron rod on his right hand as a result of which his hand got fractured. Further, omnibus allegation of assault is against the other accused persons and the informant was taken to S.K. Medical College from Bochaha Primary Health Centre and during the treatment, the F.I.R. was registered from the hospital itself.

4. Learned counsel for the petitioner submits that though the allegation of assault on the head of the informant is on Randhir Kumar (petitioner No.2) and only allegation of assault on the hand of the informant is attributed to Manish Singh (petitioner No.3), so far as petitioner No. 1, Ram Pravesh Singh is concerned, there is no specific allegation rather omnibus allegation of abuse is attributed to him.

5. Mr. Bharat Bhushan, learned A.P.P. for the State, on the other hand, points out that the injury on the hand has been opined to be grievous inasmuch as the hand was fractured.

6. Taking into account the allegation that has come against Randhir Singh @ Randhir Kumar (petitioner No.2) and Manish Kumar @ Manish Singh (petitioner No.3), it would be appropriate for them to surrender before the trial court and seek



bail. Accordingly, the present anticipatory bail application stands rejected with respect to the aforesaid petitioner Nos. 2 and 3.

7. So far as petitioner No.1, Ram Pravesh Singh @ Julfi Singh is concerned, considering the fact that there is no specific allegation against him, he is 60 years of age and have clean antecedent, this Court is inclined to extend him privilege of anticipatory bail.

8. Let the petitioner No.1, Ramparvesh Singh @ Julfi Singh, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Judicial Magistrate-1st, Class, East Muzaffapur in connection with Bochahan P.S. Case No. 251 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner No.1, who shall provide official document to show his bona fide;

(ii) the petitioner No.1 shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner No.1 shall appear before the



concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner No.1 shall in no way try to induce or promise or threat the witnesses or tamper with the evidences failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner No.1 shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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