

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81479 of 2023**

Arising Out of PS. Case No.-97 Year-2022 Thana- BIHIA District- Bhojpur

JITENDRA SINGH Son of Rajendra Singh Resident of village - Baruna,  
Police Station - Bihiya, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

3      21-03-2024                      Heard Mr. Pramod Kumar, learned counsel for the  
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Bihiya P.S. Case No. 97 of 2022 instituted under Sections 147, 149, 341, 323, 379, 307, 447, 448, 120-B of the Indian Penal Code lodged on 20.3.2022 by the informant, Sobha Devi.

3. As per the prosecution story, the informant has alleged that the accused persons including the petitioner stormed the house of the informant and after abuse, allegation is that Raju Singh assaulted the informant with rod causing injury on the head. As the husband, came to rescue, one Sachin Singh also used rod which hit the head of the informant's husband who became unconscious. Accordingly, the FIR.

4. Learned counsel for the petitioner submits a bare



perusal of the FIR would show that specific allegation is against Raju Singh and Sachin Singh of hitting the informant and her husband, the omnibus allegation of hitting has been made against the host of the accused including this petitioner and his name has been dragged in only because he has criminal antecedent.

5. Learned APP opposes the prayer stating all of them armed variously stormed house of the informant and assaulted both the informant as also the husband.

6. Considering the submissions of the petitioner as also the State and the allegation is on Sachin Singh and Raju Singh, omnibus allegation is against him, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Bihiya P.S. Case No. 97 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner 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 shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) the petitioner 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;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

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