

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 81599 of 2024

Arising Out of PS. Case No.-107 Year-2024 Thana- ISUAPUR District- Saran

1. Rakesh Kumar Singh @ Tufani Singh Son of Late Kavaldev Singh R/O Village- Parsa, P.S.- Ishuapur, District- Saran
2. Shailesh Kumar Singh @ Dara Singh @ Shailesh @ Shalesh Son of Late Kavaldev Singh R/O Village- Parsa, P.S.- Ishuapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 04-12-2024 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Ishuapur P.S. Case No. 107 of 2024, dated 25.04.2024, registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. As per the FIR, there is allegation of assault by the petitioners and other co-accused on account of land dispute.

4. Ld. counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that on account of land dispute, the



occurrence had taken place and both sides have got injured. He further submits that counter case has also been filed against the informant's side.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner no. 1 has no antecedent, whereas petitioner no. 2 has one criminal antecedent.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate-Ist Class, Saran at Chapra, in connection with Ishuapur P.S. Case No. 107 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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