

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83937 of 2023

Arising Out of PS. Case No.-285 Year-2023 Thana- SAUR BAZAR District- Saharsa

1. Rinku Singh S/O Indradev Prasad Singh Village- Kapsiya, Ps.Sour Bazar, Dist. Saharsa.
2. Onkar Singh @ Kumar Onkar Singh S/O Hari Prasad Singh Village-Kapsiya, Ps.Sour Bazar, Dist. Saharsa.
3. Vijay Ranjan Prakash @ Bibhuti Singh S/O Vijay Bhushan Singh Village-Kapsiya, Ps.Sour Bazar, Dist. Saharsa.
4. Balram Singh S/O Gulab Singh Village- Kapsiya, Ps.Sour Bazar, Dist. Saharsa.
5. Vikash Singh @ Vikash Kumar Singh S/O Gopal Singh Village- Mena, Ward No. 9, Ps. Mehshi, Dist. Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-01-2024 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 379, 384, 504 and 506 of the Indian Penal Code and 27 of the Arms Act.

3. Allegation against the petitioners is that they along with other co-accused persons have assaulted the husband of the informant when he denied to give *Rangdari* to them.

4. It is submitted by learned counsel for the petitioners



that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. As per the F.I.R., there is specific allegation on one Vijay Bhushan Singh to fire from pistol. Petitioner no. 5 has given order to assault and petitioner no.1 has snatched gold chain from the informant. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case is counter case between the parties annexed as annexure -2 in the petition. Nature of the injury of the informant is grievous in nature. Petitioner no. 1 has three criminal antecedent, petitioner no. 5 has two criminal antecedent and petitioner nos. 2, 3 and 4 have no criminal antecedent as mentioned in para 3 of the bail petition.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, there is no specific overt act against the petitioners and there is case and counter case between the parties, let the above named petitioners, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.



25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sour Bazar P.S. Case No. 285 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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