

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83606 of 2023

Arising Out of PS. Case No.-448 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

-
1. Dilkhush Singh @ Dilkush Kumar S/O Jivish Singh @ Jirish Kumar Singh Village- Pachamba, Ps. Muffasil Singhaul, Dist. Begusarai.
 2. Jivish Singh @ Jivish Kumar Singh S/O Late Kamdeo Singh Village- Pachamba, Ps. Muffasil Singhaul, Dist. Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per the F.I.R., allegation against the petitioners along with three named and five unknown persons have came armed with deadly weapons and assaulted the informant with the intention of killing him and further threatened him to vacate the land.

4. It is submitted by learned counsel for the petitioners that petitioner is quite innocent and has committed no offence as alleged. No such occurrence as alleged ever took place. They



have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. The injury sustained by the victim is grievous in nature caused by the petitioner no.1. There is specific allegation of assaulting the informant by pistol. There is no specific overt act against the petitioner no. 2. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, there is no specific overt act against the petitioner no. 2, let the above named petitioner no. 2, be released on bail, in the event of his 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 Muffasil (Singhoul) P.S. Case No. 448 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7.However, the allegation of assaulting the informant by



means of pistol is serious in nature, I am not inclined to enlarge
petitioner no.1 on anticipatory bail. The prayer for bail is hereby
rejected.

(Anjani Kumar Sharan, J)

annpurna/-

U		T	
---	--	---	--

