

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.129 of 2024

Arising Out of PS. Case No.-133 Year-2023 Thana- SIGAUDI District- Patna

1. SUPREM KUMAR S/O DHARMENDRA YADAV R/O VILLAGE-BAHADURGANJ, PS. SIGORI, DIST. PATNA.
2. LUTAN YADAV @ RAJESH KUMAR S/O KAMLESHWAR SINGH R/O VILLAGE-BAHADURGANJ, PS. SIGORI, DIST. PATNA.
3. PAPPU YADAV @ PAPPU KUMAR S/O SURESH YADAV R/O VILLAGE-BAHADURGANJ, PS. SIGORI, DIST. PATNA.
4. MITHALESH YADAV S/O LATE SURYADEO SINGH R/O VILLAGE-BAHADURGANJ, PS. SIGORI, DIST. PATNA.
5. DHARMENDRA YADAV S/O CHANDESHWAR SINGH R/O VILLAGE-BAHADURGANJ, PS. SIGORI, DIST. PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioners apprehend their arrest in connection with Sigori P.S. Case No. 133 of 2033 registered under Sections 147, 148, 149, 341, 323, 324, 307 504 of the Indian Penal Code and Section 27 of the Arms Act lodged on 13.08.2023 by the informant, Lalbabu Yadav.

As per the prosecution story, allegation against the petitioners is that all the accused persons assaulting the



informant's side. Accordingly, the FIR.

Learned counsel for the petitioners submit that both the informant and the accused persons are agnates, there is case and counter case and further there is omnibus allegation against all of them. Further the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner (s) on its own would like to contribute towards the medical assistance of Rs. 1000/ each through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

Learned APP for the State opposes the prayer for bail.

Taking into account the submissions put forward by the learned counsel for the parties, there is omnibus allegation against all the accused persons, case and counter case, the injuries have been found to be simple in nature which is part of the anticipatory bail petition, this Court is inclined to grant him privilege of bail subject to payment of Rs. 1000/- each as undertaken by the learned counsel for the petitioners.

Let the petitioners, 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 Judicial Magistrate 1st Class, Danapur/concerned court in connection with Sigori P.S. Case No. 133 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 petitioners who shall provide official document to show their *bona fide*;

(ii) the petitioners 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 their bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners 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 their bail bonds;

(v) the petitioners 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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