

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3937 of 2024

Arising Out of PS. Case No.-311 Year-2018 Thana- SALIMPUR District- Patna

1. Ravi Kumar @ Ravi Kumar Singh
2. Vikash Kumar
Both are sons of Ramprasad Singh, R/o Village- Kala Diyara, P.S.- Salimpur,
Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Navneet Prabhakar, Advocate
	:	Mr.Gyanendra Kumar Singh,Advocate
For the Opposite Party/s	:	Mr.Ashok Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2024 Heard Mr. Navneet Prabhakar, learned counsel for

petitioners and Mr.Ashok Kumar Singh, learned Additional

Public Prosecutor for the State.

2. Petitioners are apprehending their arrest in
connection with Salimpur P.S.Case No.311 of 2018, FIR dated
16.11.2018, registered for the offences punishable under
Sections 341,323,504,307,379,506,34 of IPC.

3. The prosecution story in brief is that the
informant one Chhedi Singh made a written report, written by
other person, to the SHO, Salimpur Police Station on
16.11.2018 stating therein that on 15.11.2018 at about 4 PM
he was correcting boundary of his crop filed suddenly FIR,



named accused persons armed with lathi, danda and farsa came and started to abuse and assault him for the purpose of the measurement of the said filed upon which his wife came to save him but all the accused persons also assaulted her resulting injury near the ear. It is farther alleged that one accused Satish Kumar assaulted him with the lathi so he sustained injury upon his head and further snatched 2000/- rupees from his pocket and threat has to kill if he encroached their crop field but anyhow he reached to Bakhtiyarpur Hospital for treatment.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Further submits that from a bare perusal of the FIR it appears that the FIR is in two parts. In 1st part there is general and omnibus allegation against all the accused persons including the petitioners and in the 2nd part there is specific allegation of assault attributed against co-accused person, namely, Satish Kumar and said Satish Kumar has been granted privilege of anticipatory bail by the learned court below itself.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of



petitioners.

6. Considering the aforesaid facts, nature of allegation in the FIR, petitioners have clean antecedent and co-accused person has been granted anticipatory bail by the learned court below itself, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh in connection with Salimpur P.S.Case No.311 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

(III)And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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