

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.562 of 2024

Arising Out of PS. Case No.-191 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

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Ranjeet Kumar Son of Sunil Singh @ Sunil Prasad Singh Resident of Village-
Chauki, Ward no. 2, P.S. Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 976 of 2024

Arising Out of PS. Case No.-191 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

=====

Sanjeet Kumar @ Sanjeet Kumar Singh Son of Sunil Singh @ Sunil Prasad
Singh Resident of Village- Chauki, ward no. 2, P.S.- Sahebpur Kamal,
District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 562 of 2024)

For the Petitioner/s : Mr.Sandip Kr Gautam, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

(In CRIMINAL MISCELLANEOUS No. 976 of 2024)

For the Petitioner/s : Mr.Sandip Kr Gautam, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-01-2024 Heard Mr. Sandip Kr. Gautam, learned counsel for

the petitioners and the State.

2. The petitioners are apprehending arrest in

connection with Sahebpur Kamal P.S. Case No. 191 of 2023

instituted under Sections 341, 323, 307, 504, 379, 504, 34 of



the Indian Penal Code lodged on 20.7.2023 by the informant, Mritunjay Kumar.

3. As per the prosecution story, the informant alleged that on the exhortation of Mintu Singh, the accused persons assaulted the informant's side. The allegation against the Depak Kumar is of assaulting Mritunjay on his head, on Ranjit Kumar of assaulting Nilesh Kumar, again on his head while Sanjeet Kumar assaulted Rohit Kumar causing injury in his hand and against Avnish Kumar the allegation is of assaulting Mahendra Singh. The further allegation is that it has occurred due to the land dispute and both are agnates. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that though the allegation of assault is on both the petitioners, the injury report does not support the said allegation inasmuch as the Doctors have opined the injuries to be simple in nature. He further submits that irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intend to contribute Rs. 5000/- each through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of the concerned Court to be handed over to the informant after checking the credential.

5. Learned APP in both the cases opposes the prayer



but having gone through the injury reports submits that the Doctors have found the same to be simple in nature.

6. Considering the submissions put forward by the parties as also that the injuries have been found to be simple in nature, FIR lodged, will be facing the trial, this Court is inclined to extend them privilege of anticipatory bail subject to payment of Rs.5000/- each as undertaken by the learned counsel for the petitioner(s) to be paid by Demand Draft of local SBI to be submitted to the trial Court and handed over to the informant after checking credentials.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Sahebpur Kamal P.S. Case No. 191 of 2023 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Begusarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her 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 co-operate in the investigation and make themselves available to the police as and when required;

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

(v) 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 the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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