

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4 of 2024

Arising Out of PS. Case No.-256 Year-2023 Thana- DIDARGANJ District- Patna

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1. MOHAN SINGH @ CHANDRA MOHAN SINGH S/O LATE LAKHAN SINGH resident of village - Gauharpur, p.s - Didarganj, Distt.- Patna.
 2. Rajesh kumar son of Suresh Prasad resident of village - gauharpur, p.s. - didarganj disitriect - Patna

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-01-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Didarganj P.S. Case No. 256 of 2023 for the offence under Sections 143, 341, 342, 323, 307 and 34 of the I.P.C. lodged on 06.08.2023 by the informant, Sangita Devi.

3. As per the prosecution story, the informant alleged that when her husband has gone to purchase medicine, on the false alarm of presence of thief, the accused persons brutally assaulted him. Accordingly, the FIR.



4. Learned counsel for the petitioners submit that omnibus allegation has been made against the accused persons, they have absolutely no role to play in the matter, both of them do not have criminal antecedent and further 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, both the petitioners individually on its own would like to contribute towards the medical assistance of Rs. 5,000/- 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.

5. Learned APP opposes the prayer stating that it is a case of mob violence.

6. Taking into account the submissions put forward by the parties as also that both the petitioners do not have criminal antecedent, omnibus allegations are there, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs. 5000/- each to the informant as undertaken by the learned counsel for the petitioners.



7. Let the petitioners be released on bail in the event of their arrest or surrender 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 like amount each to the satisfaction of learned J.M.-1st Class, Patna City, Patna in connection with Didarganj P.S. Case No. 256 of 2023 subject to the conditions 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 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 his 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 his 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 the 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 his bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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