

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3906 of 2025

Arising Out of PS. Case No.-426 Year-2022 Thana- MADANPUR District- Aurangabad

1. Randip Singh Son of Late Ramvatar Singh village- Rachhaul, P.S- Madanpur, Dist- Aurangabad
2. Devanjit Singh Son of Late Ramvatar Singh village- Rachhaul, P.S- Madanpur, Dist- Aurangabad
3. Upadhyay Singh Son of Late Ramvatar Singh village- Rachhaul, P.S- Madanpur, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-02-2025 Heard Mrs. Leelawati Kumari, learned counsel for the petitioners and Mr. Binod Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Madanpur P.S. Case No. 426 of 2022, F.I.R. dated 16.08.2022 registered for the offences punishable under Sections 341, 323, 307, 504, 34 of the Indian Penal Code.

3. Allegation against the petitioners is that they along other co-accused persons assaulted the informant and his brother due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely



implicated in the present case. She further submits that it appears from the F.I.R. itself that due to admitted land dispute the present occurrence had taken place and there is case and counter case between the parties. She further submits that although the petitioners are named in the F.I.R. but there is no specific allegation of any assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is no specific allegation of any assault or overt act attributed against these petitioners, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No. 426 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/



Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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