

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30512 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- DAGARUA District- Purnia

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1. Kanchan Singh @ Kanchan Kumar Singh S/O Late Sundar Singh Resident of village- Bishwaspur Ward No. 8, P.S.- Dagarua, Dist.- Purnia
 2. Sanjeet Singh @ Sanjeet Kumar Singh S/O Late Sundar Singh Resident of village- Bishwaspur Ward No. 8, P.S.- Dagarua, Dist.- Purnia
 3. Shankar Singh S/O Late Sundar Singh Resident of village- Bishwaspur Ward No. 8, P.S.- Dagarua, Dist.- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 3 30-06-2025 1. Learned counsel for the petitioners submits that during the pendency of the bail application, petitioner no.3, namely, Shankar Singh has been arrested. So the bail application with respect to petitioner no.3, namely, Shankar Singh has become infructuous. Therefore, he seeks permission to withdraw this bail application with respect to petitioner no.3.
2. Permission is accorded.
3. Accordingly, the bail application stands dismissed as withdrawn with respect to petitioner no.3, namely, Shankar Singh.
4. Heard Mr. Satish Kumar Sinha, learned counsel for



the petitioners and Mr. Anil Kumar, learned Additional Public Prosecutor for the State.

5. The petitioners are apprehending their arrest in connection with Dagarua P.S. Case No. 37 of 2025, F.I.R. dated 01.02.2025 for the offences punishable under Sections 126, 115(2), 76, 324(4), 324(5), 3(5) of Bharatiya Nyay Sanhita, 2023.

6. According to prosecution case, the informant alleged that on 31.01.2025, the petitioners along with other accused person arrived at his field, began ploughing it and began uprooting and throwing garlic plants. It is further alleged that the accused persons used iron rod and *lathi* to attack the informant's family members when they objected.

7. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case due to admitted land dispute and there is case and counter case between the parties. Although the petitioners are named in the FIR, but there is no specific allegation of assault or overt act against them rather specific allegation of assault is against co-accused person, namely, Sikandar Kumar.

8. The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioners on the ground.

9. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and there is no specific allegation of assault or overt act against them, let the petitioners, above named, in the event of 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 the learned Chief Judicial Magistrate, Purnia in connection with Dagarua P.S. Case No. 37 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 bond shall be cancelled by the Court below.

ii. If the petitioners tampers 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 antecedent, 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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