

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33532 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- ATHMALGOLA District- Patna

1. Uma Shankar Singh @ Bhagat Singh @ Bhagat Jee S/O Late Ekbal Singh R/O Village- Ram Nagar, P.S- Athmalgola, Distt.- Patna.
2. Deepak Kumar S/O Ram Ekbal Singh R/O Village- Ram Nagar, P.S- Athmalgola, Distt.- Patna.
3. Anita Devi S/O Ekbal Singh R/O Village- Ram Nagar, P.S- Athmalgola, Distt.- Patna.
4. Soni Kumari D/O Bhagat Singh R/O Village- Ram Nagar, P.S- Athmalgola, Distt.- Patna.
5. Manita Devi W/O Deepak Kumar R/O Village- Ram Nagar, P.S- Athmalgola, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Prasad Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-05-2025 Heard Mr. Niranjan Prasad Singh, learned counsel

for the petitioners and Mr. Md. Aslam Ansari, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Athmalgola P.S. Case No. 89 of 2025, F.I.R. dated 09.03.2025 for the offences punishable under Sections 115(2), 109(1), 303(2), 74, 352, 351(2) and 3(5) of Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant



alleged that due to previous land dispute the petitioners along with other accused persons assaulted him.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case due to previous land dispute and there is case and counter case between the parties. Although the petitioners are named in the FIR but from bare perusal of the FIR it transpires that there is no specific allegation against the petitioners rather the allegation levelled against the accused persons including the petitioners are general and omnibus and specific allegation is against co-accused, namely, Golu Kumar.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioner no.1 carries five criminal antecedents, petitioner no.2 carries two criminal antecedents and petitioner nos.3, 4 & 5 carry one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that all the petitioners are on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioners, 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 S.D.J.M., Barh in connection with Athmalgola P.S. Case No. 89 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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