

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61897 of 2025

Arising Out of PS. Case No.-402 Year-2024 Thana- SISWAN District- Siwan

1. Devnath Singh S/O Late Ram Kripal Singh @ Late Kripal Singh Resident of Bangra Ke Bari, P.S.- Chainpur, District- Siwan
2. Bhola Singh @ Bhola Nath Singh S/O late Ram Kripal Singh @ Late Kripal Singh Resident of Bangra Ke Bari, P.S.- Chainpur, District- Siwan
3. Hare Ram Singh S/O late Raghaw Singh Resident of Bangra Ke Bari, P.S.- Chainpur, District- Siwan, Currently R/at LIG- 111, Mahabalipuram, P.S.- Kalyanpur, Dist.-Kanpur Nagar, U.P.- 208017

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-09-2025 Heard Mr. Ayush Kumar, learned counsel for the petitioners and Mr. Ashok Kumar Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Siswan (Chainpur) P.S. Case No. 402 of 2024, F.I.R. dated 05.12.2024 registered for the offences punishable under Sections 126(2), 115(2), 118(2), 303(2), 351(2), 352 and 3(5) of B.N.S., 2023.

3. Allegation against the petitioners is that they have assaulted the son and relatives of the informant with rod, spade, lathi and knife, due to which they sustained injuries.



4. Learned counsel for the petitioners submits that the petitioner nos. 1 and 3 having clean antecedents and petitioner no. 2 carries one more case in which he is on bail in the pending matter. He further submits that although petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is specific allegation of assault is against Appu Singh. Although, there are allegation against these petitioners that they have assaulted to the family members of the informant but there is no specific allegation against these petitioners rather there is general and omnibus allegation against these petitioners in the F.I.R.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners and submits that petitioner nos. 1 and 3 having clean antecedent and petitioner no. 2 carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that he is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that there is no specific allegation against the petitioners in the F.I.R. and there is specific allegation of assault attributed against accused person namely Appu Singh and other co-accused persons, 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 Additional Chief Judicial Magistrate-V, Siwan in connection with Siswan (Chainpur) P.S. Case No. 402 of 2024, 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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