

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73105 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- PIRI BAZAR District- Lakhisarai

1. Mukul Singh @ Mukul Kumar
2. Narayan Kumar @ Abhishek Kumar @ Narayan Singh.
Both are S/O Shivan Singh Resident of Village- Kaswa Abhaypur, P.S- Piri Bazar, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md.Najmul Hodda, Advocate
For the Opposite Party/s	:	Mr.Surendra Kumar, APP
For the Informant	:	Mr. Ravi Ranjan Mallick, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-01-2025 Heard Mr.N.K.Agrawal, learned senior counsel

 appearing for the petitioners, Mr. Ravi Ranjan Mallick, learned

 counsel for the informant and Mr.Surendra Kumar, learned

 Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Piri Bazar P.S.Case No.68 of 2024, FIR dated 02.06.2024 registered for the offences punishable under Sections 302,34 of IPC.

3. The prosecution case, in short, is that on 02.06.2024 information was received that brother of informant was found in unconscious state at Dev Medical. When informant reached there he found his brother dead. It was



informed at two days before ago Tippan Singh, Mukul Singh, Narayan Singh, Rakesh Singh came to their resident and gave warning to leave the land else they will kill them.

4. Learned counsel for the petitioners submits that due to admitted land dispute the petitioners have falsely been implicated in the present case and it appears from the FIR that the informant is not the eye witness of the alleged occurrence and from a bare perusal of the FIR it appears that there is no specific allegation against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners that they have assaulted to the deceased.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioners and submits that a number of witnesses have supported the case of the prosecution and apart from that, the postmortem report also supports the allegation as alleged in the FIR. Further submits that petitioner No.1 carries three more cases and petitioner No.2 carries two more cases other than the present one but he fairly submits that the petitioners have been acquitted in all the cases by the learned court below itself, as mentioned in para-3 of the anticipatory bail petition.



6. Considering the aforesaid facts, 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 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Piri Bazar P.S. Case No.68 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:-

(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 bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 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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