

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59789 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- AAYAR District- Bhojpur

1. Shivnarayan Singh S/O Gopali Singh @ Gopal Singh Village - Sihar Ps- Ayar Dist- Bhojpur
2. Nandjee Singh @ Nand Singh Yadav Son Of Gopali Singh @ Gopal Singh Village - Sihar Ps- Ayar Dist- Bhojpur
3. Nandu Singh Son Of Gopali Singh @ Gopal Singh Village - Sihar Ps- Ayar Dist- Bhojpur
4. Parvin Kumar Son Of Shivnarayan Singh Village - Sihar Ps- Ayar Dist- Bhojpur
5. Arvind Kumar Son Of Shivnarayan Singh Village - Sihar Ps- Ayar Dist- Bhojpur
6. Mithu Singh @ Ajay Kumar Son Of Nandjee Singh @ Nand Singh Yadav Village - Sihar Ps- Ayar Dist- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-09-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Ayar P.S. Case No. 37 of 2023 dated 23.03.2023 registered for the offences punishable under



Sections 147, 148, 149, 341, 323, 307, 354B, 379, 504 and 506 of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused persons are alleged to have assaulted the informant, his daughter and his nephew with iron rod, hand pump and katta due to which they sustained injuries.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners are next door neighbour and there is dispute for passage of lane and both parties are co-sharer (Gotiya). Nothing has been recovered from the possession of the petitioners. It is further submitted that the injury is stated to be simple in nature. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand)each with two sureties of the like amount each to the satisfaction of learned Court concerned,



Bhojpur at Ara in connection with Ayar P.S. Case No. 37 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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