

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8343 of 2015

Arising Out of PS.Case No. -191 Year- 2014 Thana -MANSI District- KHAGARIA

1. Bablu Singh Son of Medi Singh, Resident of Village - Bangalia, P.S. - Mansi, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.9397 of 2015

Arising Out of PS.Case No. -191 Year- 2014 Thana -MANSI District- KHAGARIA

1. Subhash Singh Son of Kamleshwari Singh
2. Ram Singh Son of Jito Singh
3. Nand Kishore Singh @ Anand Kishore Singh Son of Nakchhedi Singh
All Resident of village - Ban Galia, P.S. Mansi, District - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.8343 of 2015)

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

For the Informant : Mr. Ram Sumiran Rai

(In Cr.Misc. No.9397 of 2015)

For the Petitioner/s : Mr. Dr. Amrendra Kumar

For the Opposite Party/s : Mr. Dilip Kumar(App)

For the Informant :- Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-04-2015 Heard learned counsel for the petitioners, learned
counsel appearing on behalf of the informant as well as learned
Additional Public Prosecutor, appearing on behalf of the State.

The petitioners are in custody in connection with Mansi P.S. Case No. 191/14 registered for the offence under section 302/34 of the Indian Penal Code.

From the first information report it appears that allegedly 12 accused persons including the petitioners surrounded the house of the informant and opened fire. One of such shots hit the wife of the informant who died on the spot. There is specific allegation against one Santosh Singh, whose bullet hit the wife of the informant leading to her death.

Learned counsel for petitioner Bablu Singh has submitted that even as per the prosecution case, he is not the main assailant and allegedly Santosh Singh hit the informant's wife leading to her death. He has further submitted that land dispute between the parties is an admitted fact. Learned counsel has further submitted that petitioner Bablu Singh will cooperate in course of trial.

As regards the petitioners of Criminal Misc. No. 9397 of 2015 it has been submitted by the learned counsel that there is absolutely no allegation against these petitioners except that they were members of the mob.

Learned counsel appearing on behalf of the informant has vehemently opposed the prayer for bail. He has

contended that there is allegation against Bablu Singh of having opened fire, though his firing did not hit the informant side.

Be that as it may, in the facts and circumstances of the case, taking into account the submission that even as per the prosecution story, petitioner of Criminal Misc. No. 8343 of 2015 cannot be said to be the main assailant and there is no allegation of any overt act against the petitioners of Criminal Misc. No. 9397 of 2015, let all the four petitioners above named be enlarged 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 Chief Judicial Magistrate, Khagaria, in connection with Mansi P.S. Case No. 191/14, G.R. No. 2133 of 2014.

(Chakradhari Sharan Singh, J)

Amin/-

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