

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47892 of 2014

Arising Out of PS.Case No. -184 Year- 2014 Thana -MAIRWA District- SIWAN

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1. Banti Singh @ Kumar Gaurav.
 2. Rudal Singh @ Arvind Kumar Singh.
 3. Binod Singh.
 4. Pappu Kumar @ Rakesh Tiwary.
 5. Guddu Singh.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioners : Mr. Rana Pratap Singh, Sr. Advocate.

For the Opposite Party : Mr. D.P.Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-01-2015 Heard learned senior counsel for the
petitioners and learned A.P.P. for the State.

The petitioners are languishing in custody since 07.09.2014 in a case registered for the offences punishable under Sections 147, 148, 149, 307, 506 of the Indian Penal Code and 27 of the Arms Act. Subsequently, Section 302 of the I.P.C. was also added.

It is alleged that on the alleged date of occurrence, nine persons including the petitioners came on three Motorcycles and started indiscriminate firing. It is specifically alleged that firing made by Mantu Sahi and Deepak Kumar Sahi with country made pistol caused injury to the sister of the

informant Raj Kumari Devi. Tribhuwan Prasad Sahi fired with country made pistol causing injury to Poonam Devi and Nitu Devi. Thereafter, the accused persons started firing in the air. Subsequently, Raj Kumari Devi and Nitu Devi succumbed to the injuries in P.M.C.H.

It is submitted by learned senior counsel for the petitioners that as per the F.I.R., the accusation of firing is not alleged against the petitioners. Title Suit No. 169 of 1999 was decided in favour of the petitioners and thereafter 144 Cr. P.C. proceeding was initiated between the parties. The statements of injured Raj Kumari Devi and Poonam Devi were recorded in paragraph nos. 44 and 35 of the case diary where they have supported the accusation levelled in the F.I.R. Hence, the injured have also not alleged any overt act against these petitioners. A statement has been made in paragraph no. 3 of the petition that the petitioners have no criminal antecedent.

Considering the nature of accusation in the background of litigated relationship between the parties, let the petitioners, above named, 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 C.J.M. Siwan, in connection with Mairwa P.S.
Case No. 184 of 2014.

U.K./-

(Dinesh Kumar Singh, J)

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