

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37019 of 2014

Arising out of PS. Case No. -19 Year- 2014 Thana -UPHARA District- AURANGABAD

- =====
1. Satyendra Singh S/o Bameshwar Singh
 2. Mitesh S/o Arun Singh
 3. Vipin Singh S/o Late Rajeshwar Singh
 4. Babu S/o Mithilesh Singh
 5. Ritesh Kumar @ Prabhat Kumar S/o Satyendra Singh
- All resident of village-Basawanpur, P.S.-Uphara, District-Aurangabad (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.37122 of 2014

Arising out of PS. Case No. -19 Year- 2014 Thana -UPHARA District- AURANGABAD

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Vikas Kumar S/o Arun Singh, resident of village-Basawanpur, P.S. Upahara, District-Aurangabad (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

(In Cr.Misc. No.37019 of 2014)

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar (APP)

(In Cr.Misc. No.37122 of 2014)

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 20-02-2015 Heard Mr. Rakesh Singh, learned counsel for the

petitioners and learned Additional Public Prosecutor for the State.

The petitioners in the two applications apprehend their

arrest in connection with Upahara P.S. Case No. 19 of 2014

registered for offence punishable under Sections 302, 307, 448,

447, 504, 323, 324, 341, 147, 148 and 149 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel appearing on behalf of the petitioners with reference to the FIR submits that whereas no allegation has been made against the petitioner nos. 4 and 5 in Criminal Misc. No. 37019 of 2014 by the informant, insofar as petitioner no. 1 Satyendra Singh and petitioner no. 2 Mitesh are concerned, though they have been charged with firing upon the brother of the informant as well as on the informant respectively but neither the injury report of the brother of the informant nor the injury report of the informant himself placed at Annexure-2 series of Criminal Misc. No. 37019 of 2014 reflects any such injury. He further submits that the petitioner no. 3 Vipin Singh has been charged with assault on informant by a *Bhala* but again there is no *Bhala* injury. Insofar as the petitioner in the second application is concerned, he submits that although the accused Vikash Kumar has been charged with assaulting the father of the informant, namely, Kedar Singh by a *Bhala* but the postmortem report of the father of the informant present at Annexure-2 of the second application reflects no such injury.

Having heard learned counsel for the parties and taking note of the submissions made by learned counsel as well as the

materials on record, let the petitioners in Criminal Misc. No. 37019 of 2014, namely, (1) Satyendra Singh, (2) Mitesh, (3) Vipin Singh, (4) Babu, and (5) Ritesh Kumar @ Prabhat Kumar and the petitioner in Criminal No. 37122 of 2014, namely, Vikash Kumar in the event of their arrest or surrender before the court below within four weeks from today be released on bail upon each one of them individually furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate-1st Class, Daudnagar, District-Aurangabad in connection with Upahara P.S. Case No. 19 of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Jyoti Saran, J)

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