

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41490 of 2014

Arising Out of PS.Case No. -244 Year- 2013 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Nipoo Kumari D/o Kamal Kishore Singh
 2. Ujjawal Kumar @ Ujjawal Singh Son of Kamal Kishore Singh
 3. Ritu Raj @ Ribhu Singh Son of Kamal Kishore Singh
 4. Nitu Kumari D/o Kamal Kishore Singh
 5. Sanjay Singh Son of Bashisht Singh
 6. Umesh Singh Son of Sajawal Singh
 7. Sonu Singh Son of Bashisht Singh All R/o Village Kotwa, P.S. Kotwa,
District East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7
For the Opposite Party/s : MrS. Veena Kumari Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-03-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in connection
with Kotwa P.S. Case No. 244 of 2013 registered for the offences
punishable under sections 147, 148, 149, 341, 323, 325, 307, 379,
435, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

It has been contended that the present case is
counter-blast of Kotwa P.S.Case No. 243 of 2013 instituted by the
father of petitioner no.1 Nipoo Kumari, namely, Kamal Kishore
Singh. As a matter of fact, several family members of the
petitioners were brutally assaulted by the members of the

prosecution party for which the aforesaid Kotwa P.S. Case No. 243 of 2013 was registered. The petitioners are neighbours of the informant and there is land dispute pending between the parties. It has also been contended that three other accused, namely, Kamal Kishore Singh, Seema Devi and Amit Singh, having more or less identical allegations, have already been granted anticipatory bail by a Bench of this Court vide order dated 15th December, 2014 passed in Cr.Misc. No. 44106 of 2014.

Learned counsel for the State has opposed the prayer for anticipatory bail.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, all the seven petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Kotwa P.S. Case No.244 of 2013, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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