

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3621 of 2015

Arising Out of PS.Case No. -209 Year- 2014 Thana -BAKHRI District- BEGUSARAI

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1. Chandni Devi W/O Bonod Rai
 2. Bimal Devi W/O Pashupati Singh
 3. Buchchi Devi W/O Ram Prakesh Singh
 4. Rabindra Singh S/O Ram Prakash Singh
 5. Ram Prakash Singh S/O Jagdeo Singh
 6. Pasupati Singh S/O Jagdeo Singh
 7. Chaila Kumar S/O Pashupati Singh All are Resident of vill-Gangraho - Mohanpur,P.S-Bakhari,Distt.-Begusarai

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shubhesh Pandey, Advocate.
For the Opposite Party : Mr. R.P.S.Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 21-05-2015 Heard learned counsel for the petitioners, the learned counsel for the State as also the learned counsel for the Informant.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 147, 148, 149, 341, 325, 307, 427 and 504 of the I.P.C.

The accused persons being armed entered into the house of the Complainant/ Informant and petitioner Rabindra Singh attacked on him with an intention to kill him resulting he sustained head injury with bleeding. Ram Prakash Singh assaulted over his hand resulting his hand was fractured and the members of

the house have also been assaulted by them. Buchchi Devi and Chandni Devi assaulted Sweta Kumari and Chaila Kumar assaulted Fulo Devi over her whole body.

Submission is of false implication and that up till now no injury report has been received. The witnesses have not supported the prosecution case in its entirety. Due to land dispute the occurrence has taken place. The petitioner no.1 is the married daughter and she has also been implicated in this case. The entire family members have been implicated only with a view to take revenge.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioners by submitting that during investigation also the witnesses have supported the occurrence that the petitioners after entering into the house of the informant committed crime with an intention to kill the informant and others also who came for rescue.

Considering the submission urged at the bar, going through the case diary and noticing that up till now injury report has not been received, petitioner nos. 1 to 3 are ladies and against them there is only allegation that they assaulted by lathi, lat and mukka and against petitioner Ram Prakash Singh there is only

allegation that he assaulted over the hand and against the petitioner Pashupati Singh there is no specific allegation and further allegation against petitioner Chaila Kumar is that he assaulted Fulo Devi but there is no mention that where she received injury and as such the petitioners, namely, Chandni Devi, Bimal Devi, Buchchi Devi, Ram Prakash Singh, Pashupati Singh and Chaila Kumar in case of their arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Begusarai in Bakhari P.S. Case No. 209 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

But considering the allegation against petitioner Rabindra Singh that he caused head injury, this Court is not persuaded to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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