

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23012 of 2015

Arising Out of PS.Case No. -316 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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1. Nand Kishor Singh. S/o Late Baiju Lal Singh.
 2. Ram Premi Devi @ Ram Piryasi Devi W/o Shri Nand Kishor Singh.
 3. Sudhir Kumar @ Sudhir Kumar Singh. S/o Shri Nand Kishor Singh.
 4. Randhir Singh @ Randhir Kumar Singh. S/o Shri Nand Kishor Singh.
 5. Sudha Devi. D/o Shri Nand Kishor Singh.
 6. Chhotan Singh S/o Late Chandeshwar Singh.
 7. Mukesh Singh @ Bikki @ Vicky. S/o Late Nawal Kishor Singh.
 8. Shambhu Singh S/o Late Chandeshwar Singh @ Chande Singh.
 9. Indal Mahto. S/o Late Moti Mahto.
 10. Runa Devi @ Ratna Devi. W/o Shri Indal Mahto.
 11. Hansa Raj Mahto @ Hansa Lal Mahto. S/o Shri Bindeshwar Mahto.
 12. Vansha Raj Mahto @ Vansha Lal Mahto. S/o Shri Bindeshwar Mahto.
 13. Mohan Paswan. S/o Late Asharfi Paswan.
 14. Kamal Paswan. S/o Late Asharfi Paswan.
 15. Ram Kumar Paswan. S/o Shri Maheshwar Paswan.
 16. Ram Dulari Devi. W/o Shri Umesh Paswan.
 17. Rama Paswan. S/o Late Brahma Deo Paswan. All residents of Village & Post Office - Manpur Jawan, Police Station - Runni Saidpur, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navendu Kumar

For the Opposite Party/s : Mr. Dasrath Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 08-10-2015

Heard both sides.

The learned counsel for the petitioners submits that petitioner No.6, Chhotan Singh, petitioner No.8, Shambhu Singh and petitioner No.11, Hansa Raj Mahto @ Hansa Lal Mahto have already been arrested. Accordingly, their prayer for anticipatory

bail is dismissed as has become infructuous.

The petitioners apprehend their arrest in a case under Section 307 and other sections of the Indian Penal Code.

The informant, a police officer, alleged that he went to village for investigation of Runni Saidpur P.S. case Nos. 310 of 2014 and 315 of 2014. When the informant along with other police officials were going towards village Madhoul the petitioners along with other accused persons surrounded the informant and assaulted him and other police officials.

It is submitted that the entire allegation is false and concocted. The informant, a police officer, happens to be relative of Bachcha Singh. Bachcha Singh earlier filed Runni Saidpur P.S. case No. 108 of 2014 under section 366A and other sections of the IPC for kidnapping of his daughter, Bharti Kumari. Bachcha Singh has named Manish Singh, Santosh Singh, Deepak Kumar and other accused persons. Bharti Kumari made her statement under section 164 of the Cr. P. C. in Runni Saidpur P.S. case No. 212/2014 that she voluntarily left her house and she fled away out of her own free will along with Deepak Kumar and solemnized marriage with him. Nobody kidnapped her. It is further submitted that Randhir Kumar Singh, son of petitioner No.1, Nand Kishor Singh, filed Runni Saidpur P.S. case No. 501/2014 in which



Chanchal Kumar and others at the instance of Bachcha Singh and others made indiscriminate firing while Randhir Kumar Singh, his brother, Sudhir Singh and sister-in-law (bhabhi) were returning after attending the court proceedings. Bhabhi of Randhir Kumar Singh died on the spot and Sudhir Singh, brother of Randhir Kumar Singh, got fire arm injuries. It is further submitted that the police took side of the accused persons and that is why this case has been filed to put pressure on the petitioners and their supporters to compromise the case.

It appears that, of course, the petitioners are named in the FIR but no specific allegation is made against them. Nand Kishor Singh, petitioner No.1, is father of Randhir Kumar Singh. Petitioner No.2 is his mother. Petitioner No.3, Sudhir Kumar Singh is one of the injured of Runni Saidpur P.S. case No. 501 of 2014 and petitioner No.4, Randhir Kumar Singh, is informant of the aforesaid case. The other petitioners are co-villagers. Even the family members have not been spared.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the above named petitioners Nos. 1, 2, 3, 4, 5, 7, 9, 10, 12, 13, 14, 15, 16 and 17, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt /

production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in Runni Saidpur P.S. Case No. 316 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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