

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23254 of 2015

Arising Out of PS.Case No. -29 Year- 2015 Thana -SIKRAUL District- BUXAR

=====

1. Nirmal Singh Son of Late Radhe Shyam Singh
2. Raju Singh
3. Rajesh Singh Both sons of Nirmal Singh
4. Arun Singh Son of Birbal Singh All are resident of village - Goppur,
P.O. Giridharpur, P.S. Sikraul, District – Buxar Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Md. Sufiyan(App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 22-09-2015 The learned counsel for the petitioners seeks permission to withdraw the bail petition of Arun Singh, petitioner No.4.

Prayer is allowed.

The bail petition of petitioner No.4 is dismissed as withdrawn.

Heard both sides.

The petitioners seek bail in a case under Section 302 and other sections of the Indian Penal Code.

The informant named 11 persons including the petitioners and stated that for harvesting of crops some altercation took place. On such all the accused persons brutally assaulted his father, Harisharan Singh and his mother. Harisharan Singh died. It is stated that on account of land dispute the occurrence took place.

Learned counsel for the petitioners submits that there is counter version vide annexure-2. The informant alleged that Harisharan Singh, the deceased, fired which hit on the arm of Rajesh Singh. The projectile passed through. It is further submitted that from perusal of the post mortem report it would appear that deceased got injuries on legs and hands. 11 persons are alleged to have assaulted the deceased but no specific allegation is made against any of the accused persons.

Having considered the fact that on account of land dispute both the sides assaulted each other and from the side of petitioners Rajesh Singh got injuries and deceased is alleged to have opened fire, the deceased got injuries on legs and hands but he succumbed to the injuries on account of shock and hemorrhage and no specific allegation is made against the petitioners, the petitioners No. 1., Nirmal Singh, 2. Raju Singh and 3. Rajesh Singh 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, Buxar in Sikraul P.S. Case No. 29/2015.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--