

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15642 of 2015

Arising Out of PS.Case No. -132 Year- 2014 Thana -RAJNAGAR District- MADHUBANI

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1. Ram Bilash Singh son of Pulkit Singh,
 2. Dharmendra Singh Son of Ram Bilash Singh, Both resident of Village-
Rahi South, P.S.- Raj Nagar, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Manoj Kr. 1(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-07-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 458,307 and 34 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution story, in brief, is that the informant and her family members named in the fardbeyan were slept in their house after taking meal in the night of 15/16-7-2014 and that the informant heard sound of opening fire towards the room of her elder son Bechan Singh. Upon this, the informant ran towards the room of his elder son Bechan Singh when she saw two persons fleeing away from his house and two persons were standing out of the room of her younger son Mahadeo Singh, who also fled away stating that Bechan has been killed. When she entered into the



room of Bechan, she saw him getting restless in injured condition and he was crying to save him and blood was oozing from the neck and Panjara of Bechan. Thereafter she opened the room of her younger son Mahadeo Singh from the outside and awoke him and that Mahadeo Singh and wife of Bechan Singh brought Benchan Singh to Primary Hospital at Rajnagar for treatment from where he was brought to Patna after he was brought to Madhubani and Darbhanga, for his treatment. In her fardbeyan, she has also stated that she has suspicion that both the petitioners with whom land dispute is going on and two unknown persons have caused injury to her son by shooting him with intention to kill.

It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent. Further it has been submitted that from perusal of FIR itself it is apparent that only suspicion has been raised against the petitioners and the petitioners happens to be the Gotias of the informant. It is also submitted that no specific allegation has been attributed against the petitioners.

On behalf of the State it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court

below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Basant Kumar, learned Judicial Magistrate, 1st Class, Madhubani in connection with Raj Nagar P.S.Case No. 132 of 2014 , subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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