

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45225 of 2014

Arising Out of PS.Case No. -115 Year- 2014 Thana -ARA MUFFSIL District- BHOJPUR

1. Ajay Singh Son of Sidhnath Singh resident of Ijari Pipara, P.S.- Ara Muffasil, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.48092 of 2014

Arising Out of PS.Case No. -115 Year- 2014 Thana -ARA MUFFSIL District- BHOJPUR

1. Rohit Kumar @ Rohit Singh
2. Ronit Singh @ Rabi Kumar Singh Both Sons of Ajay Singh Resident of village- Ijari Pipra, P.S.- Ara Mufassil (Dhobha), District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.50007 of 2014

Arising Out of PS.Case No. -115 Year- 2014 Thana -ARA MUFFSIL District- BHOJPUR

1. Vedha Singh @ Bodha Singh @ Vidya Kumar Singh Son of Jay Kumar Singh Resident of Village - Ijari Pipra, P.S. - Ara Muffasil, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :
(In Cr.Misc. No.45225 of 2014)
For the Petitioner/s : Mr. Prabhat Kumar Singh
For the Opposite Party/s : Mr. Md.Ansarul Haque(App)
(In Cr.Misc. No.48092 of 2014)

(In Cr.Misc. No.50007 of 2014)

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Dinesh Singh (App)

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party : Mr. Mustaque Alam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 03-03-2015

Heard both sides.

The petitioners seek bail in a case under section 302/34 and other sections of the I.P.C.

The informant Shailendra Chaudhary named the petitioners along with other accused persons, and alleged that some quarreling took place due to tying of his cow in the lane. When the father of the informant was going, Bedha Singh picked up quarrel with the father of the informant. Rohit Singh, Ronit Singh and Hari Shankar Singh came there armed with rods in their hands. It is alleged that Bedha Singh assaulted the father of the informant on his head and father of the informant fell down having become unconscious. Romit Singh and Rohit Singh alleged to have assaulted Ramashankar Choudhary, father of the informant when Ramashankar Choudhary fell down on the ground. Thereafter, accused persons alleged to have assaulted Heera Jhari Devi and others. Wife of Bedha Singh is alleged to have assaulted

the deceased Ramashankar Choudhary with plank of wood on the head.

Learned counsel for the petitioners Ajay Singh, Rohit Kumar and Ronit Singh has submitted that there is no allegation that the petitioners assaulted the deceased on the head of the deceased. Petitioners Rohit Kumar and Ronit Singh are alleged to have assaulted the deceased with iron rods on his body, but from perusal of the post mortem report it would appear that there is no injury on the body of the deceased and only one injury was found on the head of the deceased.

Learned counsel appearing on behalf of Bedha Singh has submitted that Bedha Singh assaulted Ramashankar Choudhary on his head, but the wife of Bedha Singh is also alleged to have assaulted Ramachankar Choudhary with wood plank. From the perusal of the record it appears that Bedha Singh assaulted the deceased Ramashankar Choudhary with lathi on his head and Ramashankar Choudhary fell down on the ground and thereafter Rohit Kumar and Ronit Singh alleged to have assaulted the deceased with iron rods on his body, but no injury was found on the other part of the body of the deceased. Wife of Bedha Singh is alleged to have assaulted with wooden plank, but no second injury was found on the head of the deceased.

Considering the aforesaid facts, petitioners Ajay Singh, Rohit Kumar @ Rohit Singh and Ronit Singh @ Rabi Kumar Singh are directed to be enlarged 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 Chief Judicial Magistrate, Bhojpur at Ara, in connection with Ara Muffasil P.S. Case No.115/2014.

So far as petitioner Vedha Singh @ Bodha Singh @ Vidya Kumar Singh is concerned, it appears that there is specific allegation against him. He assaulted the deceased on the head and corresponding injury was found resulting in the death of Ramashankar Choudhary.

The prayer for bail of the petitioner Vedha Singh is rejected and Cr. Misc. No. 50007 is, accordingly, dismissed. The trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt of a copy of this order.

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(Prabhat Kumar Jha, J)

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