

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51496 of 2014

Arising Out of PS.Case No. -289 Year- 2014 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Ravindra Kishore Singh S/o Late Gorakh Singh resident of village -
Banchahari, P.S. Bagaha, district - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.12816 of 2015

Arising Out of PS.Case No. -289 Year- 2014 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Pappu Singh @ Sudhir Kumar Singh @ Sudhir Singh Son of Shri
Narendra Kishore Singh
2. Master Singh @ Mukesh Singh Son of Late Daroga Singh
3. Nanhe Singh @ Vishwa Vijay Singh Son of Sri Uma Singh
4. Barjesh Patel Son of Late Sukai Chaudhary

All resident of village Banchahari P.O. Parsa, P.S. Bagaha, District West
Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.51496 of 2014)

For the Petitioner/s : Mr. Prabhu Narayan Prabhakar, Advocate

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

(In Cr.Misc. No.12816 of 2015)

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr. Nand Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 19-05-2015 Both the cases are of the same P.S. and as such

have been heard together and being disposed of by common

order.

Heard learned counsel for the petitioners, learned counsel representing the State and learned counsel for the informant.

The petitioners apprehending their arrest in connection with Bagaha P.S. Case No. 289 of 2014 registered for the offence under Sections 323, 341, 307/34 I.P.C. seek privilege of pre arrest bail.

Allegedly, the petitioners along with their associates came at the purchased land of the informant, opened indiscriminate firing and they also abused and assaulted the informant and his family members.

Learned counsel for the petitioners submits that the petitioners are innocent having committed no offence and they have been falsely implicated due to land dispute. There is no injury to anyone, there is case and counter case. The petitioner Ravindra Kishore Singh is a practicing Advocate at Bagha, Civil Court, no offence under Sections 307 I.P.C. and 27 of the Arms Act is made out and rest offences are bailable and as such the petitioners deserves sympathetic consideration to which the learned A.P.P. duly assisted by learned counsel for the informant, opposes the prayer by submitting that the petitioner Ravindra Kumar Singh has suppressed the fact regarding criminal antecedent and after disclosure made by the informant he has filed supplementary affidavit disclosing about criminal antecedent. Further the petitioner Ravindra Kumar

Singh is the main accused and at his instances the occurrence has taken place.

Under the circumstances stated above and noticing that the occurrence is said to have taken place due to land dispute and there appears no injury to anyone. There is case and counter case and as such the above named petitioners in case of arrest or surrender before the court below within two months from the date of receipt/production of a copy of this order shall be released on bail on execution of bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Bagaha P.S. Case No. 289 of 2014 with condition as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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