

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38159 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -SALAIYA District- AURANGABAD

- =====
1. Krishna Singh, Son of Late Nathuni Singh,
 2. Amit Kumar Singh,
 3. Sumit Kumar Singh @ Chhottu, Both are Sons of Krishna Singh
- All are residents of Village- Jai Bigha, P.S.- Salaiya, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 18-09-2015

Learned counsel for the petitioners is

permitted to make necessary correction in the petition.

Heard learned counsels for the petitioners

and the State.

The petitioners being the own brother and nephew of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 427, 349 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the informant constructed a new house which was claimed by petitioner no. 1

Krishna Singh. It is further alleged that 28.05.2015 the accused persons came variously armed when petitioner no. 2 Amit Kumar Singh resorted to fire, though, no injury was caused to anyone and petitioner no. 3 Sumit Kumar Singh assaulted with lathi and took out Rs.5,000/- and gold chain from the informant.

It is submitted by learned counsel for the petitioners that in the background of share dispute the accusation has been levelled. For the occurrence of 28.05.2015 the complaint was filed on 30.05.2015 which came to be registered as police case on 15.06.2015 whereas petitioner no. 2 filed Salaiya P.S. Case No. 16 of 2015 against the informant on 08.06.2015 levelling accusation under Sections 147, 148, 341, 323, 307 and 379 of the IPC. It is further submitted that no injury was caused to the informant side.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the relationship between the petitioners and the informant and the nature of dispute, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of

the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Salaiya P.S. Case No. 17 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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