

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52350 of 2015

Arising Out of PS.Case No. -37 Year- 2015 Thana -TANDWA District- AURANGABAD

1. Arjun Singh Son of Shyamdeo Singh
2. Kamlesh Singh Son of Arjun Singh both residents of Village - Ugaine,
P.S. - Tandawa, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

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

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-12-2015

Heard learned counsel for the petitioner and the State.

The petitioners apprehend their arrest in connection with
Tandwa P.S. Case No. 37 of 2015 for the offences under sections 341, 323,
307, 504/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case of the informant given before the
office in charge Tandwa P.S on 18.08.2015, is that some altercation took
place between Arjun Singh and the informant due to irrigation of paddy. It
is further alleged that on 20.08.2015 at about 7.00 P.M. evening petitioners
Kamlesh Singh and Arjun Singh came abusing the informant while the
informant was returning to his house from Devi Mandir and some quarrel
took place in between petitioner No.2 Kamlesh Singh and informant
Mithilesh Singh upon which Kamlesh Singh on the instigation of petitioner
no.1 opened fire which did not hit and passed above the head of the informant
On hulla villagers assembled there. Both accused persons went to their
house.

It has been submitted by the counsel for the petitioner

that they are own gotia of the informant and they have been falsely implicated in the aforesaid case.. It has further been submitted that both the petitioners have clean antecedent reference thereto has been made in paragraph 3 of the petition. Furthermore it has been submitted that there is no injury caused to any person either on the informant or any other person. It was only on the basis of some quarrel over irrigation of paddy the incident took place and no overt act has been committed by the petitioners..

Be that as it may, let the above named petitioners in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Aurangabad, in connection with Tandwa P.S. Case No. 37 of 2015, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Nilu Agrawal, J)

M.Rahman/-

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