

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9389 of 2016

Arising Out of PS.Case No. -78 Year- 2015 Thana -KOPA District- SARAN

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Sunil Singh @ Sunil Kumar Singh, son of Late Ram Dayal Singh, resident
of village- Kopa, P.S.- Kopa, District- Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-02-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is in judicial custody since 28.08.2015
in connection with Kopa P.S. Case No. 78/15 for offences alleged
under Sections 147, 148, 341, 323, 324, 307 and 379 of the Indian
Penal Code.

The prosecution case, as lodged by the informant,
is that on 28.06.2015 at about 5.00 P.M. when he was taking out
milk from his buffalo at his door the named accused persons along
with 3-4 unknown came there variously armed with *lathi*, *danda*,
iron rod, dab and *gandasi* and began to assault. Petitioner
assaulted the informant on his head by dab and when the son of
the informant came to save him Raju Singh assaulted him by iron

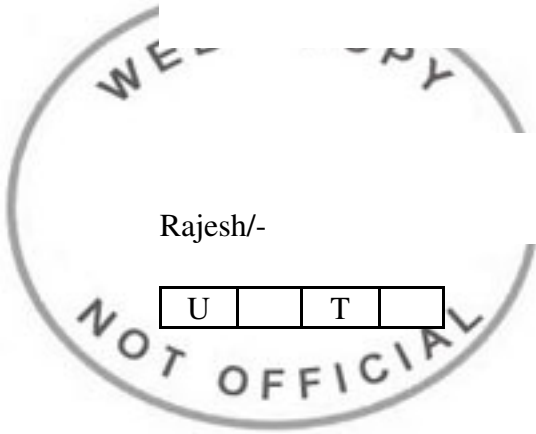
rod on his head and when his wife came to save she was assaulted by Bhanu Singh on her head. All the three fell down on the ground and were further assaulted. On hearing hulla nearby people gathered and the accused persons fled away and while fleeing away petitioner snatched the golden chain of the wife of the informant from her neck.

Learned counsel for the petitioner submits that petitioner's side and informant's side are family members and there is dispute going on between the parties wherein Title Suit No. 322 of 2014 is pending. He further submits that there is a case pending against the informant's side lodged by the petitioner i.e. Kopa P.S. Case No. 37/08 which evidently states that there was a long standing rivalry between the parties regarding land dispute. Counsel for the petitioner contends that there is compromise between the parties, hence, prays for bail.

Learned APP for the State, however, opposes the prayer for bail.

Since there is case and long standing property dispute between the parties and earlier the petitioner had lodged a case against the informant's side, let petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the

satisfaction of learned Judicial Magistrate 1st Class, Chapra, in
connection with Kopa P.S. Case No. 78/15.



(Nilu Agrawal, J.)