

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18258 of 2016

Arising Out of PS.Case No. -1325 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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1. Halchal Singh.
 2. Vinay Singh. Sons of Suryadeo Singh.
 3. Rajnish Singh.
 4. Anuj Singh. Sons of Dharamdeo Singh.
 5. Tengari Singh @ Kanchan Singh, Son of Late Sheopujan Singh.
 6. Abhay Singh.
 7. Deep Narayan Singh. Sons of Late Sheopujan Singh.
 8. Chandradeo Singh
 9. Brahmdeo Singh. Sons of Late Nema Singh.
 10. Kalaktar Singh Son of Chandradeo Singh. All R/o Rampur, P.S. Sasaram (M), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-04-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,307,380 and 448 of the Indian Penal Code and section 27 of the Arms Act.

The prosecution case is that on 24.11.2015 at 11.30 A.M. the FIR named accused persons including the petitioners came variously armed on the land of the informant and stopped the



informant from filling earth on his land. On the instigation of petitioner no. 9 Brahmdeo Singh who was claiming the land in question, the accused persons resorted to fire. The informant went inside the house then the accused persons entered into the house when the wife of the informant was begging for his life then on the order of Suryadeo Singh, co accused Birendra Singh fired causing injury on the left leg of the informant's wife. It is also alleged that accused persons took away jewellery worth rupees fifteen lacs and clothes. Earlier also the informant filed Sasaram (M) P.S. Case No. 30 of 2008 against the petitioners side.

It is submitted by the learned counsel for the petitioners that specific accusation of firing is against co accused Birendra Singh and in the background of land dispute the accusation has been levelled. The land in question belongs to the petitioners side, therefore, deliberately the description of land has not been given in the FIR. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that there is no specific accusation of assault against the petitioners, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten

thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Sasaram in connection with Sasaram (M) P.S. Case No.1325 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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