

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11378 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -MOKAMAH District- PATNA

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1. Raghuvarsh Mani Singh
2. Deena Singh, both sons of Late Ramchandra Singh
3. Parushotam Kumar, son of Late Vishwanath Singh. All are residents of
village - Brahpur, P.S. - Mokama, Dist - Patna. Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anand Kumar, Advocate

For the Opposite Party/s : Mr. Anita Kri.Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA

PRATAP SINGH

ORAL ORDER

2 17-03-2016 Heard learned counsel for the petitioners as well as
learned counsel for the State and learned counsel for the
informant.

The petitioners apprehend their arrest in connection
with Mokama P.S. Case No. 02 of 2016 for the offence punishable
under Sections 147, 148, 149, 504, 307 and 323 of the Indian
Penal Code and Section 27 of the Arms Act.

The informant has alleged that all the seven accused
persons came near him while he was sleeping at his Dalan. On
instigation of petitioner no. 1 Raghuvarsh Mani Singh,
Parushotam Kumar, petitioner no. 3 fired on him which
fortunately did not hit. Thereafter, one Prabhat Kumar assaulted
him with the butt of the pistol.

The petitioners submit that there is a land dispute
between the parties and criminal cases have been instituted by

both the sides. They further submit that there is no allegation that any assault was committed by any of the persons.

Learned counsel appearing for the informant submits that subsequent to this incident, the accused persons committed another incident for which Mokama P.S. Case No. 242 of 2013 was instituted under Section 307 of the Indian Penal Code.

As neither the informant nor any one else was caused any injury by them, let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh in connection with Mokama P.S. Case No. 02 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, with further condition that the petitioners would not be physically absent for two consecutive dates at stretch till one witness is examined. When the charge is framed, the petitioners would visit nearby Police Station once in every two months and would file an affidavit to the aforesaid effect in the court below.

(Samarendra Pratap Singh, J)

Vats/-

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