

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17924 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

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1. Upendra Singh
2. Baban Singh
3. Basant Singh All Sl. no.- 1 to 3 sons of Late Rameshwar Singh
4. Rinku Singh Son of Upendra Singh
5. Sanjeev Singh Son of Basant Singh All Sl. no. 1 to 5 R/o village-
Rasalpur, P.S.- Sheikhpura (Hathiawan O.P.), Distt.- Sheikhpura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. B.M.P.Sinha, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-05-2016 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend arrest in connection with
Sheikhpura (Hathiawan O.P.) P.S. case No.6 of 2016 for offences
alleged under Sections 147, 148, 149, 323, 324, 307, 379, 504 and
506 of the Indian Penal Code.

The prosecution case, as lodged by the Informant, is that
on 3.1.2016 at 12 0' clock when the informant was ploughing his
field, the petitioners and other accused persons came and started
assaulting him. Petitioners Upendra Singh, Baban Singh and
Basant Singh assaulted Rajeev Singh by means of lathi and rod,

petitioner Sanjeev Singh assaulted the informant on the head by means of butt of gun and petitioner Rinku Singh assaulted Renu Devi by means of axe and thereafter the accused persons fled away.

It has been submitted by the learned counsel for the petitioners that informant side and the petitioners side are agnates and earlier the petitioners have lodged Sheikhpura P.S. case No.5 of 2016 regarding the same occurrence i.e. dispute over the land and as an afterthought the present counter case has been lodged. It has further been submitted that the injuries on the informant side are found to be simple in nature and the injury received on the petitioner No.5 Sanjeev Singh was serious, for which he has been referred to Patna for specialized treatment. It has also been submitted that petitioner Nos.2 to 4 have no criminal antecedent and petitioner Nos.1 and 5 are accused in Complaint case No.267C of 2015, which has been lodged by the informant side. He further submits that there is a land dispute between the parties which has since been compromised.

However, learned APP for the State submits that the petitioners are named in the First Information Report, hence opposes the prayer for bail.

Be that as it may, since there is a land dispute between the

parties, the case filed by the petitioners being prior to the present case and the matter having been compromised, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. case No.6 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

Narendra/-

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