

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51853 of 2016

Arising Out of PS.Case No. -172 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

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1. Sanjay Singh, Son of Late Rajeshwari Singh,
 2. Gautam Kumar, Son of Ghina Singh, Both resident of Village- Jakhaur, P.S.- Birupur, District- Lakhisarai.
 3. Jitendra Kumar @ Thuthra, Son of Jagdish Singh, resident of Village- Walipur, P.S.- Piparia, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate.
For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 20-12-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Barahiya P.S. Case No. 172 of 2016 registered under Section 147, 148, 149 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation of informant, Mukesh Kumar Singh, is that the list relating to the effected persons in the flood was to be deposited on 20.09.2016 at the block but the list in respect to ward of informant was not carried by Mukhiya, Nitu Devi as she had asked the informant to come at her house but he did not go to her



house. When the informant asked to Mukhiya, Nitu Devi, to submit the list of flood effected people of his ward then petitioner no. 1, husband of the Mukhiya, started to abuse and called his associates, on which, Niraj Kumar armed with pistol came in the campus of block and shot fire at the informant but he saved himself anyhow. The firing was made by accused, Niraj Kumar, on the instruction of petitioner no.1.

Learned counsel for the petitioners submits that, in fact, Nitu Devi, wife of petitioner no. 1, succeeded in Panchayat election in spite of opposing by the informant due to that reason hot talk was exchanged and the informant also tried to disturb in the block, regarding which, Barahiya P.S. Case No. 171 of 2016 is instituted on the basis of written report of petitioner no. 1 and the police has also lodged case against the informant bearing Barahiya P.S. Case No. 173 of 2016 in respect to disturbing the block. It is further submitted that it would appear from the F.I.R. that none had sustained injury.

Considering the aforesaid submissions, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 the Chief Judicial Magistrate, Lakhisarai, in connection with Barahiya P.S. Case No. 172 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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