

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26392 of 2016

Arising Out of PS.Case No. -268 Year- 2011 Thana -SARAIYA District- MUZAFFARPUR

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1. Vikas Kumar @ Sonu Singh @ Sonu Kumar, Son of Birendra Singh
2. Satya Prakash @ Munna Singh @ Munna, Son of Birendra Singh
3. Braj Kishore Singh, Son of late Shambhu Saran Singh
All are resident of Village Kolhua, P.S Saraiya, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mrs. Nitu Kumari, Advocate.
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-08-2016

Heard both sides.

The petitioners, namely, Vikas Kumar @ Sonu Singh @ Sonu Kumar, Satya Prakash @ Munna Singh @ Munna and Braj Kishore Singh, apprehend their arrest in Saraiya P.S. Case No. 268/2011 registered under Section 307 and other sections of the Indian Penal Code, Section 27 of the Arms Act and Sections 3 / 4 of the Explosive Substance Act.

The informant filed a complaint petition after two days of the occurrence, on the basis of which, the present FIR was lodged. The informant alleged that Birendra Kumar Singh, Sonu Singh and Munna Singh put sugar in the oil tank of the generator and consequently the generator was ceased. Suresh Singh, Tanak Mahto and Rajiv Kumar, who were labourers of the informant,

made protest; on such, the accused persons fired and thereafter the accused persons assaulted them with knife in which Suresh Singh and Tanak Mahto were brutally injured. The accused persons also assaulted Vimlesh Kumar @ Jai Singh causing fracture injury in his leg. Thereafter the accused persons looted away different articles.

Learned counsel for the petitioners submits that all the allegations are false and concocted. After two days of the occurrence, the informant filed the complaint petition but no injury report was annexed to the complaint petition. Neither the informant nor any family member of the informant received any injury, much less fire arms injury. The investigating officer has not collected any injury till date. It is submitted that Raj Kishore Singh, Ajay Kumar Singh and Shyam Kishore Singh have already been granted anticipatory bail vide order passed in Cr. Misc. No. 24387/2016. The case of the petitioners stands of the same footing.

Considering the facts that similarly situated co-accused persons have already been granted anticipatory bail vide order passed in Cr. Misc. No. 24387/2016, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of

receipt / production of a copy of this order, are directed to be enlarged 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 Sub Divisional Judicial Magistrate (West), Muzaffarpur in Saraiya P.S. Case No. 268/11, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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