

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27134 of 2016

Arising Out of PS.Case No. -263 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Om Prakash Singh, son of Ram Bachan Singh
 2. Ramesh Singh, Son of Bikrama Singh.
 3. Ramayan Singh, Son of Sheomurat Singh.
 4. Ram Dayal Singh, Son of Jhengur Singh.
 5. Ram Bachan Singh, Son of Kumar Singh. All Residents of Village-
Anantpur, P.O.- Ruppur, P.S.- Mohania, District- Kaimur at Bhabua.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Sri Ambika Bhagat

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 05-07-2016 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in a case registered for the offence punishable under sections 147, 148, 149, 323, 307, 324, 506 of the Indian Penal Code and section 3(i)(x)(xi) of the SC/ST (Prevention of Atrocities) Act.

Prosecution case is that the informant and four other people went to Narad Singh of village Anantpur and demanded their wages in lieu of fixation of tent, when Narad Singh abused the informant and others by calling caste name and on protest being made Narad Singh assaulted them by fists and slaps. The further case is that one Urmila Devi assured the informant and others to get their wages paid. On 22.5.2016 at 9:00AM Narad Singh

snatched the motorcycle of the brother-in-law of Urmila Devi and started assaulting him. On call of Narad Singh several people came including the petitioners and made assault to the informant's side.

It is submitted by the learned counsel for the petitioners that the accusation of assault or abuse is not specific against the petitioners. Though eight persons from the informant's side have received injury but except one injury all have been found to be simple in nature. The accused side lodged Mohania P.S.Case No. 262/2016 against the informant with the accusation for the offence under sections 147, 149, 307, 323, 427 of the Indian Penal Code. The case of the accused side was registered at the earlier point of time. Four persons received injury from the accused side and one of the injuries of accused side has also been found to be grievous.

It is submitted by Mr. Ambika Bhagat, learned counsel for the State, that all the accused persons abused and assaulted the informant's side and several persons have received injuries.

Considering the fact that the case lodged by the petitioners' side is registered at the earlier point of time and the statement in paragraph 3 of the application that the petitioners have no criminal antecedent and the petitioners' side have also received injuries, it is a case for consideration of the prayer for

regular bail.

Let the learned court below consider the prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Mohania P.S.Case No. 263/2016 pending in the court of the Chief Judicial Magistrate, Bhabua, Kaimur.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

Surendra/-

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