

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35956 of 2016

Arising Out of PS.Case No. -135 Year- 2016 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Rajesh Singh son of Shankar Singh
 2. Ram Chandar Singh son of Late Shiv Kumar Singh
 3. Ram Bachan Singh son of Late Shiv Kumar Singh
 4. Kamta Singh son of Shri Ram Chandra Singh
 5. Sudama Singh son of Shri Ram Chandra Singh
 6. Bipin Singh son of Ram Bachan Singh
 7. Upendra Singh son of Ram Bachan Singh
 8. Shankar Singh son of Late Ram Awadhesh Singh
 9. Ram Pravesh Singh son of Shankar Singh All residents of village - Chilbili, P.S. - Sidhi, District - Rohtas (Sasaram).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate and
Mr. Diwakar Upadhyaya, Advocate
For the Opposite Party/s : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-09-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149 and 379 of the Indian Penal Code.

The prosecution case is that on 26.5.2016 at 11.30 in the night when the informant and his brother were carrying sand through tractor then the accused persons snatched the tractor from the informant and battery of mobile and rupees five thousand five hundred from the brother of the informant when the informant

identified petitioner no. 1 and co accused Sri Bhagwan Singh.

It is submitted by the learned counsel for the petitioners that the petitioners are agnates of the informant. At earlier point of time the informant of the present case namely Sikandar Singh, Chhotan Singh alias Kanhaiya Singh, the brother of the informant, and Choudhary Singh, father of the informant killed Jitendra Singh alias Yadav, son of co accused Bhagwan Singh leading to registration of Kargahar (Sidhi OP) P.S. Case No. 101 of 2014 with accusation under sections 341,302/34 IPC and section 27 of the Arms Act wherein the informant's family have been chargesheeted hence as a retaliatory measure the petitioners have been roped in the present case. It is further submitted that there is no recovery from the petitioner. Though petitioner nos. 1,3,6,7,8 and 9 have no criminal antecedent whereas petitioner nos.2,4 and 5 are accused in Kargahar (Sidhi) P.S. Case No. 102 of 2014 registered under sections 341,323,307 and 504/34 IPC wherein they are on bail.

Considering the accusation in the background of serious enmity between the parties, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve 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 learned JM Ist Class, Bhabua (Kaimur), in connection with Kudra P.S. Case No.135 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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