

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49717 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -SINGHIYA District- SAMASTIPUR

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1. Shambhu Choupal s/o late Juri Choupal R/o of vill.- Hardiya, P.S.- Singhiya, Distt.- Samastipur
 2. Shambhu Shankar Mukhiya @ Shankar Shambhu Mukhiya s/o late Narayan Mukhiya R/o of vill.- Bharath (Bangaratha Tola Bharath), P.S.- Singhiya, Distt.- Samastipur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Purushotam Sharma

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-12-2016 Heard both sides.

The petitioners apprehend their arrest in Singhiya P.S. Case No. 43 of 2016, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

Arjun Jha, the informant, alleged that Singheshwar Singh and others including the petitioners came to his field and started harvesting maize crops. When the informant and others went to the field Rishabh Kumar Singh @ Kis Kumar assaulted the informant with Pharsa on his head. Singheshwar Singh @ Daddu Singh fired which hit Mannu Kumar Jha, the son of the informant.



Learned counsel for the petitioners submits that no specific allegation of assault is made against the petitioners. The petitioners are labours of Singheshwar Singh @ Daddu Singh that is why they have falsely been implicated in the case.

Learned counsel for the informant as well as learned APP however opposed the prayer for anticipatory bail of the petitioners but could not be able to point out any overt act against the petitioners.

Considering the facts aforesaid, the petitioners above named, in the event of their arrest or surrender before the 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) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Rosera, Samastipur in Singhiya P.S. Case No. 43 of 2016, 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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