

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23867 of 2016

Arising Out of PS.Case No. -330 Year- 2015 Thana -TEGHRA District- BEGUSARAI

1. Raj Kumar Singh @ Mangal Singh
2. Rajesh Singh @ Rajesh Kr. Singh Both are sons of Late Ram Pratap Singh, Resident of village- Madhurapur Dakshin Tola, P.s.- Teghra, in the district of Begusarai

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Adv.
Mr. D. N. Tiwari, Adv.

For the Opposite Party/s : Mr. Subash Chandra Mishra (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 28-06-2016 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in a case registered for the offence punishable under sections 447, 331, 323, 307, 504, 325, 379/34 of the Indian Penal Code.

Prosecution case is that on 6.11.2015 at 2:00 PM the informant was at his house, when the accused persons came variously armed and on the order of Raj Kumar Singh, petitioner no.2 Rajesh Singh assaulted with iron rod causing bleeding injury on his head. When the informant fell down, co-accused Abhinandan Singh assaulted with axe causing fracture injury on his left hand. When the daughter-in-law of the informant came to rescue then on the order of Ragni Devi, Abhinandan hit Alka Devi

with axe causing fracture injury on her head. Anita Devi hit Rinku Devi with Khanti, causing bleeding injury on her head. In the meantime, co-accused Bulbul Kumari snatched a gold chain from the neck of Babita Devi.

It is submitted by the learned counsel for the petitioners that the accusation of assault has not been levelled against petitioner no.1 Raj Kumar Singh and the injury caused by petitioner no.2 has been found to be only abrasion of 2"x1/4" though the opinion has been kept reserved for the same, whereas the petitioners are accused in one other case lodged by the daughter-in-law of the informant.

Considering the fact that accusation of assault has not been levelled against Petitioner no.1, let he, in the event of his arrest or surrender before the court below within a period of twelve weeks from today, be released 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 Chief Judicial Magistrate, Begusarai in Teghra P.S.Case No. 330/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

If it is found that the injury caused to the informant has been found to be simple in nature, let the learned court below consider the prayer for regular bail of petitioner no.2, if petitioner

no.2 surrenders before the learned court below within a period of six weeks from today in connection with Teghra P.S.Case No. 330/2015 pending in the court of the Chief Judicial Magistrate, Begusarai.

With the aforesaid observation, this application, so far as petitioner no.2 is concerned, is disposed of.

(Dinesh Kumar Singh, J)

Surendra/-

U			
---	--	--	--