

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1341 of 2016

Arising Out of PS.Case No. -110 Year- 2013 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Chabila Singh Son of Late Bijli Singh, Resident of Village - Rudal Pakri, P.S. - Pipra Kothi, District - East Champaran.
 2. Dhruv Singh @ Dhruv Narayan Singh @ Dhruv Singh, Son of Late Bramha Deo Singh, Resident of Village - Rudal Pakri, P.S. - Pipra Kothi, District - East Champaran.
 3. Sonu Kumar @ Sonu Singh, Son of Bhushan Singh, Resident of Village - Rudal Pakri, P.S. - Pipra Kothi, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Md. A.Haque Sahara (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 302 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that on 16.05.2013 at 10:00 A.M co-accused Akhilesh Singh, Dhuman Singh @ Rahul Kumar Singh, Baban Singh made indiscriminate firing causing injury on the chest of the brother of the informant Mahesh Singh and when he fell down then petitioners along with other co-accused assaulted with lathi. The victim subsequently succumbed to the injuries.

It is submitted by learned counsel for the

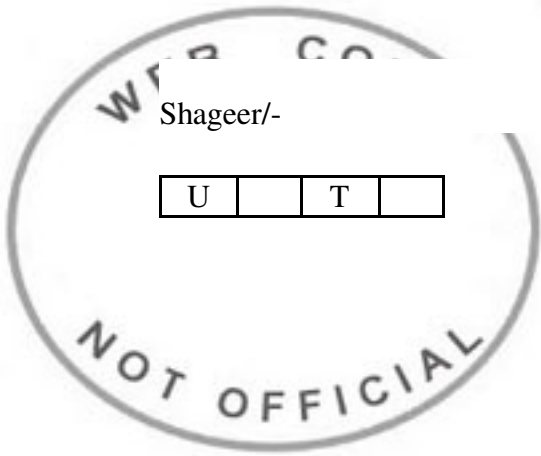
petitioners that accusation of firing is not against the petitioners. The accusation of making assault with lathi is omnibus and general, though brother of the informant died by gunshot injury and considering the same similarly situated co-accused have been granted anticipatory bail by a coordinate Bench of this Court vide Cr. Misc. Nos. 41065 of 2013 and 47611 of 2013. The petitioners were not sent up for trial but differing with the final form, cognizance has been taken. Moreover son of co-accused Akhilesh Singh was killed at the hands of the informant's side at earlier point of time.

It is submitted by learned counsel for the informant that accusation of making assault with lathi is also against the petitioners.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the facts that petitioners were not sent up for trial, they having clean antecedent and similarly situated co-accused have been granted bail, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Pipra Kothi P.S. Case No. 110 of 2013, subject to the

conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)