

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26546 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -NAWAKOTHI District- BEGUSARAI

1. Rajesh Singh @ Lakhoran Singh @ Rajesh Kumar, son of Birendra Singh
2. Chandrahas Singh @ Chandrahas Kumar @ Fuchi Singh, son of Rambali Singh, both are residents of village Maheshwara, P.S. Naokothi, district Begusarai Petitioners

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.21446 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -NAWAKOTHI District- BEGUSARAI

1. Ram Gati Singh @ Ramgati Singh Son of Late Bhagwan Singh resident of Village - Maheshwara, Police Station - Naokothi in the district of Begusarai Petitioner

Versus

1. The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.30047 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -NAWAKOTHI District- BEGUSARAI

1. Sujit Singh @ Sujit Kumar Singh Son of Dinesh singh Resident of Village- Maheshwara , Police Station- Nawkothi, District Begusarai Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.26546 of 2016)

For the Petitioner : Mr. Raj Kumar, Adv.

For the Opposite Party : Mr. Dilip Kumar, APP 19

(In Cr.Misc. No.21446 of 2016)

For the Petitioner : Mr. Raj Kumar, Adv.

For the Opposite Party : Ms Anita Kumari APP

(In Cr.Misc. No.30047 of 2016)

For the Petitioner : Mr. Ravi Shanker Pankaj, Adv.

For the Opposite Party : Mr. Ramchandra Singh, APP 51

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 26-08-2016

The learned counsel for the petitioners is permitted to make necessary correction, in paragraph 3 of Cr. Misc. No. 26546 of 2016, in the light of the supplementary affidavit, filed on behalf of the petitioners.

Heard the learned counsel for the petitioners, the informant and the State.

This is a petition for grant of regular bail for offence under Sections 147, 148, 149, 323, 324, 326, 307, 427 and 379 of the Indian Penal Code and 27 of the Arms Act.

The prosecution story, in brief, is that the accused persons, armed with various weapons, came to the house of the informant and asked her to go to field using abusive language. The accused persons taken away some house-hold articles and the accused persons also assaulted them and opened fire upon them due to which some persons got injury.

Learned counsels for the petitioners submit that the petitioners are in custody since 27.04.2016, 14.03.2016 and 02.05.2016 respectively. Charge sheet has been submitted in the case. There is no allegation of tampering of the witness alleged against the petitioners. It is a case and counter case between the parties and both the sides are said to have been injured in course of occurrence. There is admitted land dispute between the parties.

On behalf of the State and the counsel for the informant, it has been submitted that the petitioners are named in the First Information Report and alleged to have actively participated in the said occurrence.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Naokothi P.S. Case No. 61 of 2015 (G.R. No. 2491 of 2015) to the satisfaction of Sri Rameshwar Mishra, Judicial Magistrate, 1st Class, Begusarai, in Cr. Misc. Nos. 26546 and 21446 both of the year 2016 and to the satisfaction of Sri Vineet Kumar, Judicial Magistrate, 1st Class, Begusarai, in Cr. Misc. No. 30047 of 2016.

(Sudhir Singh, J)

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