

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32871 of 2016

Arising Out of PS.Case No. -102 Year- 2016 Thana -RIGA District- SITAMARHI

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1. Vijay Yadav Son of Late Chulhai Rai Resident of village - Sirahi, P.S. Righa, District – Sitamarhi.
2. Shivjee Singh Son of Late Rup Singh.
3. Subhash Singh Son of Tej Narayan Singh Both resident of village - Singhoraba, P.S. Riga, District – Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar, Advocate.

For the Opposite Party : Mr. Mithilesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-12-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Riga P.S. Case No. 102 of 2016 for the offences instituted under Sections 147, 148, 149, 341, 323, 324, 307, 447, 448, 380 and 427 of the IPC.

The prosecution story, in brief, is that the petitioners variously armed with Bhala, Garasa, Iron rod etc., came and petitioner no. 1 assaulted the informant on his head causing cut injury and bleeding took place. When his brother came to rescue him, petitioner no. 2 assaulted him causing cut injury in his hand. When Shiv Pujan Chaudhary came to save the informant and his brother, petitioner no. 3 assaulted him with iron rod causing injury



in his head. The accused also took away the ornaments, clothes and cash of Rs. 45,000/-. The people came and saved the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case. It is a case and counter-case between the parties. Both sides are said to have injured in course of free fight. The injury report does not support the allegation made in the FIR.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Riga P.S. Case No. 102/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

