

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35034 of 2016

Arising Out of PS.Case No. -69 Year- 2016 Thana -NAWINAGAR District- AURANGABAD

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1. Munna Singh @ Satyendra Singh son of Late Rang Bahadur Singh
 2. Anand Singh son of Ashok Singh
 3. Ankit Kumar @ Chhotu son of Ashok Singh, all three are resident of Village:- Simra Dusadh, P.S. N.T.P.C. Khaira, District Aurangabad.
 4. Ajay Singh @ Manu Singh son of Lichi Singh. Resident of Village- Itwa, Police Station- Dawat, District- Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajesh Roy, Advocate.

For the Opposite Party : Mr. Ram Priya Saran, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 26-11-2016 Heard the learned counsel for the petitioners and
learned APP for the State.

Petitioners apprehended their arrest in connection
with Nabinagar P.S.Case No.69 of 2016 under Sections 341, 323,
307, 326, 354, 452, 504, 509 and 506/34 of the IPC.

The prosecution case is that the informant's cousin
Ashok Singh and Munna Singh (petitioner no.1) were constructing
house on his land. He objected, but they started constructing the
wall forcefully and also abused and chicken farm belonging to
informant was damaged by Ashok Singh and Munna Singh. He
further alleged that all the FIR named accused persons assaulted
with iron rod, sword and *farsa* as a result of which, causing

injuries on the informant, his brother and his wife.

It has been submitted by the learned counsel for the petitioners that they are innocent and have falsely been implicated in the aforesaid offence. He further submits that petitioners and other side are cousins and are next door neighbour and that the petitioners' side has also lodged Nabinagar P.S.Case No.78 of 2015 against the informant's side. He further submits that there is a land dispute between the parties for which the police on investigation has found there was a constant dispute between both the sides. He further submits that the petitioners have no criminal antecedent, except the present case. He further submits that there is only one injury caused by one co-accused Ashok Singh on the head and there is no injury which is grievous in nature either on the informant or his brother or his wife.

However, learned APP for the State submits that the petitioners are named in the FIR, hence opposes the prayer for bail.

Considering the aforesaid facts and circumstances, let the above named petitioners in the event of their arrest or surrender before the learned court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like

amount each to the satisfaction of learned ACJM, Aurangabad in connection with Nabinagar P.S.Case No.69 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further subject to the condition that one of the bailors shall be a close relative of the petitioners having immovable property within the jurisdiction of the said police station and that the petitioners shall appear before the police or the court below as and when required and failure to appear on two consecutive dates, without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

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