

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44170 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -CHAUTHAM District- KHAGARIA

Umeshwar Singh, son of Late Anandi Singh, resident of Village- Baourne,
P.S.- Chautham, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 21-10-2016

Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Chautham P.S. Case no. 79 of 2015, registered under Sections 341,
323, 307, 504, 506, 324 and 341 of the Indian Penal Code and Section
27 of the Arms Act.

The accusation is that on hearing the sound of cutting of
bamboo, informant reached at bamboo clamp and saw that petitioner
along with others were present there armed with pistol and lathi and
three labourers were cutting the bamboo. When informant made
protest, then petitioner abused the informant and ordered to Santosh
Singh to kill him, then Santosh Singh opened firing, but anyhow
informant succeeded to save him and at that time Ritesh Kumar Singh
and Santosh Singh assaulted on the head of the informant by means of
bamboo. When brother and nephew of the

informant came to save him then they were also assaulted by the accused persons.

Learned counsel for the petitioner submits that the petitioner is aged about 70 years. Further submission is that it would appear from the F.I.R. that at the time of occurrence he has only given order to assault to the informant. Further submission is that, in fact, due to family dispute the petitioner has been implicated in this case along with others.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-2nd, Khagaria in connection with Chautham P.S. Case No.79 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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