

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45268 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -SIRDALA District- NAWADA

=====

1. Jay Shankar Singh @ Jay Prakash, son of Late Narayan Singh,
2. Shailendra Singh, son of Late Dinesh Singh, Both are resident of Village-
Mirjapur, P.S.- Maiskaur, District- Nawada.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Satyendra Narayan Verma, Advocate.
For the Opposite Party : Mr. Sri Awadhesh Kumar Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Sirdala (Maiskaur) P.S. Case No. 31 of 2016 for the offences instituted under Sections 147, 149, 323, 324, 341, 307, 379, 504 and 506 of the IPC.

The prosecution story, in brief, is that while the informant was returning from the market, the accused abused him by calling caste name. Yogendra Singh and Tinku Kumar armed with pistol and Garasa caught the informant. Yogendra Singh, Tinku Kumar and Shiv Shankar Singh gave revolver butt blow,



Garasa blow and Khanti blow respectively causing head injury to the informant. He fell down then Shailendra Sat on his chest and took mobile phone. Jai Shankar Singh took Rs. 5,000/- and gold chain. Kapil Sharma 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. It is a case and counter case between the parties. Specific allegation of assault is against co-accused Tinku Kumar, Shiv Shankar Singh and Yogendra Singh. No specific allegation of assault has been alleged against the petitioners. Section 379 IPC is ornamental in nature.

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 Sirdala (Maiskaur) P.S. Case No. 31/2016 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.,V, Nawada, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

