

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53249 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -MADANPURA District- AURANGABAD

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1. Sanjay Singh, son of Baijnath Singh.
 2. Vijay Singh, son of Bhikhandeo Singh,
 3. Dhananjay Singh, son of Baijnath Singh,
All are resident of Village- Kosdihra, P.S.- Madanpur, District- Aurangabad.
 4. Bitu Singh, son of Uday Singh,
 5. Ajit Singh, Son of Subhash Singh, both are resident of village- Rasalpur, P.S.- Madanpur, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-12-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Madanpur P.S. Case No. 73 of 2016 registered under Sections 341, 323, 325 and 307/34 of the Indian Penal Code.

The accusation is that, on 05.06.2016, in the evening, Miku Singh, Bitu Singh (petitioner no. 4) and Ajit Singh (petitioner no. 5), younger son of Subhash Singh, came at the door of informant, Lalita Devi, and started to abuse. At that time, Bitu Singh (petitioner no. 4) dashed her husband through motorcycle then her husband started to flee away. In the meantime, petitioner



no. 1 Sanjay Singh, petitioner no. 2 Vijay Singh and Binod Singh armed with lathi, danda and iron rod came there and started to assault her brother-in-law, Arjun Singh. At that time, petitioner no. 3, Dhananjay Singh and one Sanjay Singh came there and caused injury through lathi at the head of her brother-in-law, Arjun Singh.

Learned counsel for the petitioners submits that there is general and omnibus allegation against the petitioners to cause injury to the informant and her brother-in-law with specific allegation against petitioner no. 3, Dhananjay Singh, to cause injury through lathi at the head of Arjun Singh. It is further submitted that only one injury was found at the head of Arjun Singh, which is said to be grievous in nature, attributed against petitioner no.3.

Considering the aforesaid submissions, let the above named petitioner nos. 1, 2, 4 and 5 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, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Madanpur P.S. Case No. 73 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



So far as petitioner no. 3, Dhananjay Singh, is concerned, taking into consideration the nature of allegation against him to cause injury to Arjun Singh, brother-in-law of informant, I am not inclined to grant anticipatory bail to him. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner no. 3 is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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