

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43997 of 2017

Arising Out of PS.Case No. -429 Year- 2016 Thana -NARPATGANJ District- ARRARIA

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1. Badri Singh, Son of Late Lal Kishun Singh,
2. Ranjeet Singh, Son of Badri Singh,
3. Upendra Singh, Son of Badri Singh,
4. Santosh Singh, Son of Umesh Singh,
5. Sudhir Singh, Son of Basudeo Singh, All residents of Village- Ramghat Koshkapur, Police Station- Narpatganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 01-12-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since 06.06.2017 in connection with Narpatganj P.S. Case No. 429 of 2016 for offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while his father went to his field and the informant was also present, altogether 14 persons including the petitioners variously armed with lathi, danda assaulted them as a result his father Nand Kishore Singh deceased) got seriously injured. During



course of treatment he succumbed to the injury.

It has been submitted by the learned counsel for the petitioners that they are innocent and bear no criminal history. The matter relates to property dispute and that general and omnibus allegations have been levelled against all 14 accused including the petitioners. He submits that charge-sheet has already been submitted and one of the co-accused named in the F.I.R. on similar allegations has been granted the privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 18239 of 2017 on 16.05.2017.

However, learned APP for the State opposes the prayer for bail stating therein that as per postmortem report there are seven injuries on the deceased and some have been caused by sharp weapons and some by hard blunt substances.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged 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 Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 429 of 2016, subject to the conditions that:



- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Nilu Agrawal, J)

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