

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11345 of 2017

Arising Out of PS.Case No. -48 Year- 2016 Thana -TIYAR District- BHOJPUR

- =====
1. Ghuter Singh @ Ghuter Singh @ Gupteshwar Singh @ Ghitur Singh @
Ghtur Singh @ Chadur Singh
 2. Bipin Singh, son of Ghuter Singh
 3. Moti Singh @ Motil Lal Singh, s/o Late Mithu Singh
- All are Resident of village- Angarua, P.S.- Tiyar, District- Bhojpur
.... Petitioners

Versus

The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 13-04-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The learned counsel for the petitioners submits that the
petitioner no. 3 Moti Singh @ Motil Lal Singh died during
pendency of this Criminal Miscellaneous and, as such, now his
name should be expunged from the array of the petitioners.

Prayer is allowed. Let the name of petitioner no. 3 Moti
Singh @ Motil Lal Singh be deleted.

The petitioners apprehend their arrest in connection
with Tiyar P.S. Case No. 48 of 2016, registered for the offences
punishable under Sections 341, 323, 326, 337, 147, 148, 149, 379
of the Indian Penal Code.

Allegedly, petitioner no.1 Ghuter Singh @ Ghuter
Singh assaulted Nakul Singh with farsa and petitioner no.2 Bipin
Singh assaulted with brick.



Submission is of false implication and that no injury of farsa has been found on the person of Nakul Singh, in the case diary the only prescription is attached but no injury report is attached, there is case and counter case, the injury received by the side of the accused is serious and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that there was free fight between the parties, in the case diary there is no injury report of the injured person rather only prescription is attached and, as such, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 Chief Judicial Magistrate, Bhojpur, in connection with Tiwar P.S. Case No. 48 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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