

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14151 of 2017

Arising Out of PS.Case No. -124 Year- 2016 Thana -SURYAGARHA District- LAKHISARAI

- =====
1. Santosh Singh
 2. Ranjan Singh @ Ranjan Kumar
 3. Chandan Singh @ Chandan Kumar

All are sons of Suresh Singh, R/o- village- Nandpur, P.S.-
Suryagarha, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 18-07-2017 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Suryagarha Police Station Case No. 124 of 2016,
disclosing offences under Sections 341, 323, 385, 307, 379 & 34
of the Indian Penal Code.

Learned counsel for the petitioners has submitted
that the petitioners, who are of clean antecedent, are innocent
and have not committed any offence. In fact, there is land
dispute between the parties, in which informant is said to be the
aggressor, and on account of that altercation took place between
the parties and the informant sustained injury, which appears to
be superficial in nature. Hence, the petitioners deserve the
privilege of anticipatory bail.



Learned A.P.P. has opposed the prayer for bail and submitted that there is direct allegation of assault by means of pistol and iron rod on the head of the informant against the petitioners.

Considering the facts and circumstances of the case, let petitioner no.3, Chandan Singh @ Chandan Kumar, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Suryagarha Police Station Case No. 124 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner Nos. 1 and 2 is concerned, considering the direct allegation of assault by pistol and iron rod on the head of the informant, this Court is not inclined to grant the privilege of anticipatory bail to these petitioners. Accordingly, the prayer for anticipatory bail of these petitioners is hereby rejected.

(Arvind Srivastava, J)

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