

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5519 of 2017

Arising Out of PS.Case No. -99 Year- 2008 Thana -PAKARIBARAW District- NAWADA

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1. Jainandan Singh, S/o Birja Singh
2. Deepak Singh, S/o Madan Singh
3. Sudhir Singh, S/o Arjun Singh
4. Balmiki Singh, S/o Birja Singh,
All R/o Village-Diaura, P.S. Pakribarawan, District-Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 07-02-2017 The petitioners have filed the instant application for grant of anticipatory bail in connection with Pakaribarawan P.S. Case No. 99 of 2008, instituted for the offences punishable under Sections 342, 323, 308, 379, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant has lodged the F.I.R. alleging that on the date of occurrence, when she was going to meet the call of nature, the petitioners caught hold of her and assaulted by fists and slaps and other co-accused shot fire, but it did not hit her. They also snatched her belongings.

Learned counsel for the petitioners submitted that the informant and his family members are aggressor and they committed overt act. They went over the land of the petitioners and committed theft of the paddy crop by harvesting forcefully and on protest, the informant side shot fire causing injuries on the



person of petitioner no. 4 (Balmiki Singh) for which Pakribarawan P.S. Case No. 100/07 has been registered. He further submits that the matter was investigated and the police finding no clue, submitted final form as the case untrue against the petitioners, but the court below took cognizance of the offence.

Learned APP, on the other hand, opposed the submissions.

It appears that the injuries sustained by the informant is simple in nature. On the other hand, the petitioner no. 4 sustained fire arm injuries on his person and his *fardbeyan* was recorded at hospital. It further appears that a land dispute is going on between the parties.

In the facts and circumstances of the case, the prayer of bail application is allowed.

Let the petitioners above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada in connection with Pakaribarawan P.S. Case No. 99 of 2008, subject to the condition as laid down under Section 438(2), the code of Criminal Procedure

(Sanjay Kumar, J)

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