

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34970 of 2017

Arising Out of PS.Case No. -52 Year- 2017 Thana -GOPALPUR District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Bir Singh, Son of Late Sajawal Singh,
 2. Vikki Singh S/o Bhushan Singh,
 3. Uma Singh Son of Gayan Singh
 4. Birendra Singh Son of Bachchan Singh,
 5. Jokhan Singh Son of Late Gorakh Singh All are Resident of Village-
Sargatia, P.S.- Gopalpur, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Ram Naresh Ray

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 10-08-2017 Heard the learned counsel for the petitioners, the

learned A.P.P. for the State as also the learned counsel for the

Informant.

In this application for anticipatory bail the petitioners
apprehend their arrest in connection with Gopalpur P.S. Case No.
52 of 2017 for the offences punishable under sections 147, 148,
149, 341, 323, 324, 325, 387, 504, 506, 435 and 379 of the I.P.C.

Allegedly, when the informant was constructing the
house of tin sheet then the petitioners came with arm and started
abusing and petitioner no.1 Bir Singh demanded Rs. 10,00,000/-
as ransom and when the informant opposed, petitioner Vikki



Singh assaulted with farsa on his head causing cut injury above the right eye and bleeding and then all assaulted with feet and fat and took away fifty pieces of tin sheet. They also caused threats that if the amount will not be paid his son will be kidnapped. The informant was brought to M.J.K. Hospital, Bettiah where treatment was going on.

Submission is of false implication and that only bruise on the right forearm has been found on the person of the informant by the doctor, vide Annexure-2, no injury as alleged has been found and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioners by submitting that petitioner Bir Singh is accused in two other cases which has been suppressed. In Gopalpur P.S. Case No. 59 of 2011 and Gopalpur P.S. Case No. 18 of 2016 Bir Singh is accused.

In the facts and circumstances as stated above, considering that criminal antecedent of petitioner Bir Singh has been suppressed and as such his prayer for pre-arrest bail stands rejected.

So far petitioner nos. 2, 3, 4 and 5 are concerned,



considering the injuries which are simple and only bruise on the right forearm, the petitioner nos. 2, 3, 4 and 5, namely, Vikki Singh, Uma Singh, Birendra Singh and Jokhan Singh, in case 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. C.J.M. Bettiah, District- West Champaran in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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