

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47129 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -DINARA District- SASARAM (ROHTAS)

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1. Vidayanand Singh, son of Late Garjan Singh
2. Vikash Singh, son of Radheshyam Singh
3. Ajeet Singh, son of Late Sri Bhagwan Singh All Resident of Village-
Nouwan, P.S.- Dinara, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Dr. Indiwari Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 10-11-2017 Heard Mr. Krishna Prasad Singh, the learned senior
counsel for the petitioners, the learned A.P.P. for the State and Mr.
Dhaneshwar Prasad Gupta, learned counsel for the informant.

The petitioners apprehend their arrest in Dinara P.S.
Case No.35 of 2017 registered under Section 307 and other
Sections of the Indian Penal Code and 27 of the Arms Act.

The informant, Shiv Bachan Singh named 11 persons
in the F.I.R. and alleged that all were armed with different
weapons such as Lathi, Bhalu and assaulted the informant and his
family members.

The learned senior counsel for the petitioners submits
that there is counter version vide Dinara P.S. Case No.36 of 2017.



From the side of the petitioners also, many persons were injured. There is omnibus and general allegation against all the accused persons named in the F.I.R. out of 11 accused persons. Ram Vaneshwar Singh, Radheyshyam Singh, Jitendra Kumar and Raj Vanshi Singh and others have already been enlarged on anticipatory bail by this Court by order passed in Cr. Misc. No.46899 of 2017 and Cr. Misc. No.52870 of 2017 respectively. The case of the petitioners stand on the same footing.

The learned Additional P.P. as well as the learned counsel, Dhaneshwar Prasad Gupta for the informant vehemently opposed the prayer for anticipatory bail and submitted that petitioners are alleged to have assaulted the informant with lathi.

It appears from perusal of the F.I.R. itself that the informant named 11 persons and alleged that they all assaulted the informant with lathi but similarly situated persons namely Ram Vaneshwar Singh, Radheyshyam Singh, Jitendra Kumar and Raj Vanshi Singh and others have already been enlarged on anticipatory bail. The case of the petitioners stand on the same footing as that of other accused persons.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned



court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to 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 Sri Lal Bihari Paswan, the learned Judicial Magistrate 1st class, Bikramganj (Rohtas) in connection with Dinara P.S. Case No.35 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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