

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59876 of 2017

Arising Out of PS. Case No.-300 Year-2016 Thana- TAJPUR District- Samastipur

Rakesh Kumar Singh, S/o Ram Bharos Singh, Resident of Village- Harpur
Bhindi, P.S. Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh

For the Opposite Party/s : Mr. SRI UMA SHANKAR PRASAD SINGH

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2017 Heard learned counsel for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 420,467,468,471,307 and 504/34 of the IPC and Section 27 of the Arms Act.

The prosecution case is that the informant's wife Bindu Devi is newly elected Sarpanch. The informant's co villagers namely Mukesh Kumar Singh and Rakesh Kumar Singh (petitioner) made forged signature and seal of the Sarpanch and applied for home loan in the name of their father Ram Bharos Singh and mother Sunita Devi before the Mahindra Finance Limited. When the informant came to know about the aforesaid facts, he made protest, Mukesh Singh and his father accepted the guilt before the Panchayat Mukhia. It is alleged that on 26.9.2016 at 11.20 P.M. the miscreants came at the sand-stone



chips shop of the informant when this petitioner and Santosh Kumar Singh lifted the father of the informant, namely, Anuplal Rai. Co-accused Ram Bharos Singh ordered for firing, upon which Mukesh Singh fired on the father of the informant causing injury.

It is submitted by learned counsel for the petitioner that the accusation of firing is not against the petitioner. The injury report of the father of the informant suggests injury has been caused by hard and blunt substance. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that even assuming the accusation, no offence under sections 420,467,468 and 471 of the IPC is made out.

It is submitted by learned APP that co accused Ram Bharos Singh has been granted regular bail vide Cr. Misc. No. 29578 of 2017.

Considering the fact that the accusation is not being corroborated by the medical opinion, coupled with the statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of
the learned ACJM- I, Samastipur in connection with Tajpur
P.S. Case No.300 of 2016.

(Dinesh Kumar Singh, J)

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