

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1814 of 2017

Arising Out of PS.Case No. -336 Year- 2016 Thana -KHAGARIA District- KHAGARIA

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1. Rampukar Singh, S/o Late Lakhan Singh
2. Ramprakash Singh @ Bilaiti Singh S/o Late Lakhan Singh
3. Tulsi Singh, S/o Ram Pukar Singh All are Resident of Village-Khargi
Tirasi, P.S. (Gangaur) Khagaria, District-Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 19-01-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in
connection with Khagaria (Gangaur) P.S. Case No. 336 of 2016
registered for the offence punishable under Sections 341, 323,
354, 379, 34 of the Indian Penal Code.

3. According to the prosecution, the petitioners along
with co-accused persons looted the crop of the informant and on
objection, Umesh Singh and Mahesh Singh torn her blouse and
thrown her on the ground and also assaulted her with leg and fists.

4. Learned counsel for the petitioner has submitted that
there is general omnibus allegation against these petitioners. From
perusal of the instant F.I.R., it appears that there is no whisper of
any over act against these petitioners rather the allegation is



against other co-accused, Umesh Singh and Mahesh Singh. Moreover, occurrence took place on 31.05.2016 and after delay of two days, the F.I.R. has been lodged. In fact, earlier also the informant has instituted a case being Khagaria (Gangaour) P.S. Case No.802 of 2015 falsely implicating these petitioners for murder of her husband on account of land dispute. Further, no case under Section 354 and 379 of the Indian Penal Code is made out against these petitioners, therefore, the petitioners deserve the privilege of anticipatory bail.

5. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Ten Thousand rupees only) each with two sureties of the like amount each to the satisfaction of C.J.M., Khagaria in connection with Khagaria (Gangaur) P.S. Case No. 336 of 2016/G.R. No. 1159 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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