

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10569 of 2017

Arising Out of PS.Case No. -228 Year- 2016 Thana -PAKARIBARAW District- NAWADA

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1. Ramotar Singh, S/o Late Saryug Singh,
 2. Taraknath Singh, S/o Sri Ramotar Singh.
 3. Vikash Kumar, S/o Sri Ramotar Singh,
 4. Karoo Singh @ Sanoj Kumar, Son of Upendra Singh, All Resident of Village- Hasna, Police Station- Pakri, Barawan, District- Nawadah.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 27-04-2017 Heard both sides.

The petitioners apprehend their arrest in Pakri Barawan P. S. Case No. 228 of 2016 registered for the offences under Section 307 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant named the petitioners and others and alleged that the petitioners and other accused persons armed with lathi-danda, iron rod and other weapons came to her darwaja and assaulted the informant Sharmila Devi. Shashikant Kumar came to save her but Taraknath Singh (petitioner no.2) assaulted Shashikant Kumar on his head with iron rod. Ramotar Singh



(petitioner no.1) is alleged to have snatched mangalsutra chain.

Learned counsel for the petitioners submits that no allegation of assault has been made against Ramotar Singh (petitioner no.1), Vikash Kumar (petitioner no.3) and Karoo Singh (petitioner no.4). Taraknath Singh (petitioner no.2) is alleged to have assaulted Shashikant Kumar with iron rod on his head. One lacerated wound was found on the head of the Shashikant Kumar. The opinion with regard to the nature of injury was kept reserved and the same has not yet been received. There is a counter version.

Considering the facts aforesaid that there is no specific allegation of assault against petitioner nos. 1, 3 and 4, the above named petitioner nos. 1, 3 and 4, 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 bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Nawada in Pakri Barawan P. S. Case No. 228 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the petitioner no.2 is concerned, he is



alleged to have assaulted Shashikant Kumar with iron rod. The opinion with regard to the injury has been kept reserved. Considering the facts aforesaid, I am no inclined to enlarge the petitioner no.2 on anticipatory bail. Accordingly, the anticipatory bail application of petitioner no.2 is rejected.

(Prabhat Kumar Jha, J)

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