

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10858 of 2017

Arising Out of PS.Case No. -159 Year- 2016 Thana -SINGHIYA District- SAMASTIPUR

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1. Kamlesh Ram, son of Moti Ram,
2. Ashok Ram, son of Maheshwar Ram,
3. Suresh Ram, son of Maheshwar Ram,
4. Rajeev Ram, son of Kari Ram,
5. Surendra Ram, son of Moti Ram,
6. Rambhu Ram @ Rambhu Kumar Ram, son of Kari Ram,
7. Sambhu Ram @ Sambhu Rai, son of Kari Ram, All resident of Village-Dumra, P.S.- Singhiya, District- Samastipur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Anish Chandra, App

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 27-03-2017 Heard both sides.

The petitioners apprehend their arrest in Singhiya P.S. Case No. 159/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

The informant named the petitioners along with others and alleged that Moti Ram assaulted his mother with Farsa on her head when his mother refused to compromise the case. Rajeev Ram petitioner no. 4 is alleged to have assaulted Ram Chandra Ram the father of the informant with iron rod.

Learned counsel for the petitioners submits that there



is land dispute between the parties. Singhiya P.S. Case No. 161/2016 is counter version. Rajeev Ram is alleged to have assaulted the father of the informant Ram Chandra Ram who got simple injury and there is no allegation of assault against other petitioners.

On the other hand, learned counsel for the informant as well as learned A.P.P. vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that prior to this occurrence the petitioners also assaulted father and mother of the informant for that Singhiya P.S. Case No. 106/2016 was lodged, but it appears that there is land dispute between the parties. Proceeding vide M.R. 149/2008 was initiated against the parties under Section 107 of the Cr. P.C. There is no specific allegation of assault against the petitioners, save and except Rajeev Ram petitioner no. 4, who is alleged to have assaulted Ram Chandra Ram father of the informant and he got two simple injuries.

Considering the facts aforesaid, 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, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the



satisfaction of Additional Chief Judicial Magistrate, Rosera, Samastipur in connection with Singhiya P.S. Case No. 159/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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