

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23474 of 2017

Arising Out of PS.Case No. -530 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Rupesh Singh, son of Rameshwar Singh.
 2. Rajesh Singh @ Rajesh Kumar Singh, Son of Rameshwar Singh, Both Resident of Village- Fulwar, P.S.- Banjariya, Dist.- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.23376 of 2017

Arising Out of PS.Case No. -530 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ashok Singh, son of Sri Narayan Singh
 2. Arjun Suing, son of Ram Prikshit Singh both resident of Village Gamhariya
 3. Satyendra Singh alias Satyendra Kumar Singh, son of Pramod Singh
 4. Vikki Singh alias Viki Singh, son of Ravindra Singh
 5. Manmohan Singh, son of Narendra Singh
 6. Narendra Singh, son of Yogendra Singh
 7. Yugul Singh, son of late Raja Singh
 8. Sanjay Singh, son of Yugul Singh, all 3 to 8 R.O. Village Phulwar, All 1 to 8 P.S. Banjariya, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.23474 of 2017)

For the Petitioner/s : Mr. Binod Kumar Singh

For the Informant : Mr. Mritunjay Kumar

For the State : Mr. Binod Kumar No.3

(In Cr.Misc. No.23376 of 2017)

For the Petitioner/s : Mr. Abhay Kumar

For the Informant : Mr. Patanjali Rishi

For the State : Mr. Binod Kumar No.3

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 24-08-2017 Heard learned counsel for the petitioners and learned



counsel for the State as well as the informant.

Welfare stamp is not attached with the counter affidavit by the informant.

Let welfare stamp be supplied by the learned counsel for the informant within a week.

Since these cases arise out of same FIR, they have been heard together and are being disposed of by this common order.

The petitioners seek anticipatory bail in a case instituted for the offences under Sections 147, 148, 149, 302, 379, 427 of the Indian Penal Code and 27 of the Arms Act.

As per allegation on 30.10.2016 at about 10.30 A.M while the informant was in his Darbaja, he saw 150-200 persons armed with different weapons came and harvesting the paddy crops of his field. Looking to this incident the informant and wife of his brother (Bhabhi) went there, tried to persuade them not to uproot their crops whereupon as per allegation on the instigation of Banka Singh and Lal Babu Singh, Pammu Singh who was holding gun resorted firing which caused fire armed injury to his Bhabhi who died at the spot. There is no allegation against the petitioners as they were member of mob.

Looking to the facts and circumstances of the case, in



the event of arrest or surrender within four weeks from today, let abovenamed petitioners be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya 9Banjariya) P.S. Case No.530 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. It is made clear that petitioners will not give any threat to the informant or any witness nor they have tampered the evidence and if the petitioners will not co-operate during course of investigation and join for interrogation their bail bonds will be treated to have been cancelled.

(Shivaji Pandey, J)

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