

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42348 of 2017

Arising Out of PS.Case No. -328 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Pintu Singh, Son of Late Ram Eqbal Singh.
2. Bishambhar Singh, Son of Sri Munna Singh.
3. Munna Singh, Son of Late Bhim Singh, All are residents of Village - Lariya, P.S. - Mohaniya, District - Kaimur, Bhabhua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anup Kumar Sinha

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mohania P.S. Case No. 328 of 2017, registered under Sections 341, 323, 325, 307, 379 and 504/34 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, Kaimur at Bhabhua.

The accusation is that seven persons named in the F.I.R. including the petitioners armed with lathi and Garasa reached at the door of the informant and started to cause assault to him, in which, he sustained injury in his left arm. When his wife, Savitri Devi and Mantu Singh rushed to save him then Pintu Singh (petitioner no. 1) caused injury at her head whereas Bishambhar Singh (petitioner no.2) caused injury at the head of his wife and



Mantu Singh through lathi. Thereafter, when Guddu Singh, son of the informant, came there then he was assaulted by them through lathi. In the meantime, Bishambhar Singh (petitioner no. 2) and Pintu Singh (petitioner no. 1) snatch the gold chain from the neck of Sabitri Devi and Mantu Singh.

Learned counsel for the petitioners submits that occurrence took place due to land dispute, in which, petitioners' side also sustained injury, regarding which, petitioner no. 1 is also filed Complaint Case No. 791 of 2017 against the informant and his family members. Annexure 3 shows that informant, his wife Sabitri Devi and Guddu Singh, sustained one injury, five injuries and two injuries, respectively, are grievous in nature.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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