

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49354 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -OBRA District- AURANGABAD

- =====
1. Samnendra Singh @ Samnendra Kumar, S/o Shivdatt Singh
 2. Tapeswar Singh, son of Deblal Singh
- Both resident of Village- Hasanpura, P.S. Obra, District- Aurangabad (Bihar)

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ranjit Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Obra P.S. Case No. 09 of 2017, registered for the offences punishable under Sections 323, 341, 325, 307, 504/34 of the Indian Penal Code.

Allegedly, the informant Uma Devi had gone to pluck vegetables in her field. Meanwhile, Sheodutta Singh came there and began to talk in un-parliamentary language and when Sanjay Kumar son of the informant objected, Sheodutta Singh called his brother Tapeswar Singh, Ramendra Kumar and Samendra Kumar who assaulted the informant, her son, her husband and Dewars Suryanath Singh and Ramendra Singh.



Submission is of false implication and that all the injuries received by all the injured are simple in nature, there was no intention to commit murder and, as such, no offence under Section 307 of the I.P.C. is made out. There is case and counter case, due to land dispute the occurrence has taken place and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the injury reports, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with Obra P.S. Case No. 09 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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