

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19677 of 2017

Arising Out of PS.Case No. -207 Year- 2016 Thana -BAJPATTI District- SITAMARHI

- =====
1. Ram Ekbal Singh, Son of Late Chandeshwar Singh.
 2. Rohit Kumar Son of Ram Ekbal Singh.
Both Resident of Village- Balha Manorath, P.O.-Rasalpur, P.S.- Bajpatti,
District- Sitamarhi.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Informant : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 27-07-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioners apprehend their arrest in connection with
Bajpatti P.S. Case No.207 of 2016 registered under Sections 147,
148, 149, 341, 323, 307, 379 and 506 of the Indian Penal Code
besides Section 27 of the Arms Act.

The accusation of the informant Surendra Singh is that in
the light of the order of this Court, the obstruction on the road,
connecting the door of the informant and the houses of Ram Ekbal
Singh (petitioner no.1) and Ram Janam Singh, which was made by
Ram Ekbal Singh (petitioner no.1), was removed by the Circle



Officer. Thereafter, Ram Ekbal Singh (petitioner no.1), Bhavesh Singh, Rohit Kumar (petitioner no.2), Manoj Kumar Singh and Ritu Rajkumar alongwith 15 others came in front of the door of the informant and shot fire at him but, luckily, the informant saved himself. In the meantime, when Rakesh Kumar alias Chunnu Singh and Mukesh Kumar, the sons of the informant, reached there, Bhavesh and Rohit fired at them but they saved themselves. In that course, the accused persons snatched the gold chain of the informant after pressing his neck. In the meantime, Sachin Kumar alias Nitin Tiwary alongwith his associates entered the house of the informant and started to commit loot.

Learned counsel appearing on behalf of the petitioners submits that, in fact, due to land dispute, the occurrence of “Maar-Peet” took place in between the parties regarding which Bajpatti P.S. Case No.208 of 2016, on the basis of the written report of the co-accused Bhavesh Singh, for the offence under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354, 379, 504 and 506 of the Indian Penal Code besides Section 27 of the Arms Act, was instituted against the informant of the present case and others. Moreover, the injuries as caused to the informant and his family members are simple in nature.

Having considered the facts and the circumstances of the



case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Pupri Sitamarhi, in connection with Bajpatti P.S. Case No.207 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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