

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43914 of 2016

Arising Out of PS.Case No. -152 Year- 2015 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Tuntun Singh S/o Jainath Singh
 2. Mithilesh Kumar @ Mithilesh Singh S/o Umashankar Singh
 3. Jhunjhun Singh S/o Jainath Singh
 4. Munmun Singh @ Munmun Kumar S/o Jainath Singh
 5. Jainath Singh S/o Late Naga Singh
 6. Umashankar Singh @ Dugri Singh S/o Late Banaras Singh All are
resident of village- Kotwa, P.S.- Kotwa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bal Govind Sharma, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 04-05-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 324, 325, 380, 506 and 354 of the Indian Penal
Code.

Allegation is that petitioner no. 1 Tuntun Singh and
petitioner no. 2 Mithlesh Kumar attempted to outrage the modesty
of Priya Kumari when the informant went for rescue she also met
with the same act of the aforesaid petitioners. Petitioner no. 3



Jhunjhun Singh, allegedly, caused injury at the head of the informant. There is general and omnibus allegation of assault and firing against others.

Submission of the petitioners is that there is land dispute between the parties and there is case and counter case also.

There is no material to substantiate land dispute between the parties, hence, considering, prima facie, serious nature of allegation against the petitioner no. 1 Tuntun Singh, petitioner no. 2 Mithlesh Kumar and petitioner no. 3 Jhunjhun Singh, I am not inclined to enlarge them on anticipatory bail.

Accordingly, their prayer for bail is refused.

There is general and omnibus allegation against other petitioners i.e. petitioner no. 4 Munmun Singh @ Munmun Kumar, petitioner no. 5 Jainath Singh and petitioner no. 6 Umashankar Singh @ Dugri Singh, hence, they are directed to be released on bail, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari/successor Court in connection with Kotwa Police Station Case No. 152 of 2015, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner nos. 4, 5 and 6 shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner nos. 4, 5 and 6.

(Birendra Kumar, J)

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