

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50140 of 2016

Arising Out of PS.Case No. -120 Year- 2016 Thana -DINARA District- SASARAM (ROHTAS)

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1. Suresh Singh Son of late Ram Raj Singh Resident of Village- Pitsar (Maira) Police Station - Dinara, District Rohtas.
 2. Birendra Singh Son of late Ram Raj Singh Resident of Village- Pitsar (Maira) Police Station - Dinara, District Rohtas.
 3. Tuntun Singh Son of Suresh Singh Resident of Village- Pitsar (Maira) Police Station - Dinara, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-01-2017 At the outset, learned counsel for the petitioners submits that during the pendency of this application, petitioner no. 2 has been arrested and as such, the application against him has become infructuous.

Accordingly, the application, as against the petitioner no. 2, is dismissed being infructuous.

Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Dinara P.S. Case No. 120 of 2016 for the offences registered under Sections 147, 148, 149, 323, 448, 354, 307 and



379 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner nos. 1 and 3 is that they indulged in indiscriminate firing and other co-accused persons also entered into the house of the informant and assaulted the informant and his family members.

It is submitted that there is case and counter case between the parties and the injuries were sustained by both the sides. So far as the present petitioners are concerned, they are said to have made firing but no gun shot injury was found on any of the persons, injured in the firing.

Learned counsel for the opposite party no. 2 submits that the informant was seriously injured and the injury report clearly indicates that the injury was found to be grievous in nature.

Considering the aforesaid facts and circumstances of the case and that the allegation of assault is on other accused persons and not against these petitioners, let the petitioner nos. 1 and 3, namely, Suresh Singh and Tuntun Singh, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Judicial Magistrate, 1st Class, Rohtas at Sasaram in connection with Dinara P.S. Case No. 120 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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