

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33425 of 2017

Arising Out of PS.Case No. -173 Year- 2017 Thana -GARKHA District- SARAN

- =====
1. Ram Ekbal Singh, Son of Late Damari Singh, R/o village- Bangra, P.S.- Garkha, District- Saran (Chapra).
 2. Sanjay Singh @ Sanjay Kumar, son of Ram Ekbal Singh, Resident of village-Bangra, Police Station-Garkha, District-Saran (Chapra)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Rai

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioners and learned
APP appearing on behalf of the State.

The petitioners seek regular bail in connection with Garkha P.S. Case No. 173 of 2017 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 & 506 of the Indian Penal Code and Section 27 of the Arms Act.

The informant in his fardbeyan has alleged that on 16.04.2017, when he along with his son was going to Bangra for purchase bricks, these petitioners along with seven others armed with deadly weapons intercepted them. On the order of the petitioner No. 1, the petitioner no. 2 caught hold of his son



and another co-accused, Chandan Singh (not petitioner before this Court) assaulted the informant on his head.

It has been submitted that the informant of this case and his associates forcibly started harvesting wheat crop for which a scuffle took place. The petitioner No. 1 lodged a police case vide Garkha P.S. Case No. 172 of 2017. The petitioner no. 1 had filed a Title Suit No. 186 of 1995 against the family members of the informant, which is pending for disposal before the Munsiff, II, Saran at Chapra. The allegation of assault is against other co-accused and so, the petitioner, who is in custody since 17.04.2017, deserves to be enlarged on bail.

The learned APP for the State opposed the submissions.

On perusal of annexures, I find that there is a land dispute between the parties for which a Title Suit No. 186 of 1995 is pending. There is also a counter case instituted on the fardebayan of the petitioner No. 1. The allegation of assault is against other co-accused. The petitioner No. 1 allegedly ordered and the petitioner no. 2, caught hold of son of the informant.

Considering the nature of allegation, facts and circumstances of the case, the prayer of bail is allowed. The



petitioners, named above, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the each amount to the satisfaction of the learned Additional Chief Judicial Magistrate, V, Saran at Chapra in connection with Garkha P.S. Case No. 173 of 2017.

(Sanjay Kumar, J)

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