

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2424 of 2017

Arising Out of PS.Case No. -100 Year- 2016 Thana -CHAUTHAM District- KHAGARIA

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1. Beni Singh, son of Late Shiwan Singh.
 2. Rajo Singh, son of Late Shiwan Singh.
 3. Rai Ji Singh @ Rai Ji, son of Suresh Singh.
 4. Narendra Singh, son of Beni Singh.
 5. Deep Narayan Singh, son of Late Gaya Singh.
- All are resident of Village- Sonbarshaghat, P.S.- Chautham, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 08-03-2017 Let the supplementary affidavit filed on behalf of the petitioners be kept on the record.

At the very outset, learned counsel for the petitioners submits that the petitioner nos.1 and 3, above named, have already been arrested and seeks permission to withdraw this application in their respect.

In that view of the matter, this application is dismissed as withdrawn in respect of the petitioner nos.1 and 3, above named.

Now, only the prayer of the petitioner nos.2, 4 and 5



for grant of anticipatory bail is being considered.

Heard.

The petitioner nos.2, 4 and 5 apprehend their arrest in connection with Chautham P.S. Case No.100 of 2016/G.R. No.1680 of 2016 registered under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code.

The accusation is that 11 persons, named in the F.I.R., including the petitioners making firing through pistol and three nut reached near the informant and started to abuse. At that time, Pappu Singh caused injury through butt of the rifle at the head of the informant, as a result of which he became unconscious and fell down. When Pravin Singh rushed to save the informant, then Beni Singh (petitioner no.1), Rajo Singh (petitioner no.2), Deep Narayan Singh (petitioner no.5), Narendra Singh (petitioner no.4) and Birendra Singh caused injury to him through Dabia and butts of the rifle and three nut, due to which he became unconscious and fell down. The other ladies of the family of the petitioners also assaulted him through lathi and bricks.

Submission on behalf of the petitioner nos.2, 4 and 5 is that due to land dispute, the occurrence of "Maar-Peet" took place in between the parties in which Birendra Singh also sustained injury regarding which Chautham P.S. Case No.101 of 2016 was



also instituted on the basis of the written report of Birendra Singh against the informant's side. Moreover, the allegation has been made against the petitioner nos.2, 4 and 5 and others to cause injury to Pravin Singh through Dabia and butts of the rifle and three nut but on medical examination of Pravin Singh, only two injuries were found on his person, out of which one injury is grievous in nature which is said to be on his head whereas another injury is simple in nature.

Having considered the facts and the circumstances of the case, let the petitioner nos.2, 4 and 5, 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 Chief Judicial Magistrate, Khagaria, in connection with Chautham P.S. Case No.100 of 2016/G.R. No.1680 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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