

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47748 of 2017

Arising Out of PS.Case No. -55 Year- 2017 Thana -BANGAON District- SAHARSA

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1. Shankar Prasad Singh @ Shankar Singh, S/o Late Brahmdeo Singh,
 2. Gaurav Kumar Singh @ Gaurav Singh @ Lalu
 3. Saurabh Kumar Singh @ Saurabh Singh.
 4. Raghav Kumar Singh @ Raghav Singh @ Kunnu Singh,
 5. Sagar Kumar Singh @ Sagar Singh @ Kusho Singh, All S/o Shankar Singh,
 6. Manish Kumar Singh, S/o Kailash Singh, All R/o Village Rahuamani, Police Station Bangaon and District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-12-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the state.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Bangaon P.S. Case No. 55 of 2017 for the offences punishable under sections 147, 148, 149, 341, 323, 324, 307, 379, 427, 506 and 504 of the I.P.C.

Allegedly, when the informant was at his land all the accused persons with common intention came there and on the order of petitioner Shankar Prasad Singh other accused persons started assaulting him. The petitioner Gaurav Singh gave rod blow



aiming on his head but the blow hit on the head and jaw of the informant. The petitioner Saurabh Singh assaulted Bandelal Yadav, the father of the informant, on his head and on the order of Shankar Singh the petitioner Raghav Singh @ Kunnu Singh dragged down the mother of the informant and the petitioner Sagar Singh @ Kusho Singh snatched gold chain of his mother worth Rs.60,000/- and the petitioner Manish Singh told to get him out from this place and when Sanjeet Yadav, the brother of the informant, came for rescue then the petitioners Gaurav Singh, Saurabh Singh and Raghav Singh made indiscriminate firing and thereafter they left the place. The petitioner Sagar Singh @ Kusho Singh followed his brother and snatched the bag containing Rs. 40,000/- and due to assault he sustained injury and the nearby person brought him to the hospital for the medical treatment.

Submission is of false implication and that the informant has earlier filed Bangaon P.S. Case No. 18 of 2017 wherein the petitioner Gaurav Kumar Singh has been allowed pre-arrest bail, due to previous enmity, malice and grudge this case has been lodged, title suit is going on in between both the parties and there is bonafide land dispute, the informant has sustained injury in an accident while he was driving the vehicle in drunken state, the petitioners have got no criminal antecedents save and except



Bangaon P.S. Case No. 18 of 2017 which has also been lodged by the informant and as such they deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances stated above, considering that title suit is pending between the parties, there is bonafide land dispute and due to that the occurrence has taken place and as such the petitioners, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall 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 C.J.M, Saharsa in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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