

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17961 of 2017

Arising out of PS.Case No. -45 Year- 2016 Thana -KHUDWAN District- AURANGABAD

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1. YAMUNA SINGH @ JAMUNA SINGH S/o Late Jagdeo Singh
 2. Ramashish Singh, S/o Late Permeshwar Singh
 3. Binay Singh S/o Ramashish Singh
 4. Ajay Singh @ Ajay Kumar S/o Ramashish Singh
 5. Ramjanam Singh S/o Late Doman Singh
 6. Brajesh Singh @ Brajesh Kumar S/o Dinanath Singh
 7. Pawan Kumar S/o Indradeo Singh
 8. Manoj Yadav @ Manoj Singh S/o Kapildeo Yadav
 9. Dinanath Singh, S/o Late Rameshwar Singh, all resident of Village-
Lahasa, P.S.- Khudwa, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ranjit Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.A.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-05-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection with Khudwan P.S. Case No. 45 of 2016, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 386 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

Allegations against the petitioners is that they had come variously armed with lathi, danda and pistol and assaulted the informant and his brothers. It is alleged that petitioner no. 2 Ramashish Singh fired on the informant by pistol and petitioner nos. 3, 6, 8 and 9 have also assaulted by means of lathi.

It has been submitted that injuries are simple in nature



against all the injured persons and the petitioners have been falsely implicated in this case.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that there is specific allegation of firing against the petitioner no. 2, Ramashish Singh, I am not inclined to grant anticipatory bail to him, however, he is directed to surrender before the learned court below within a period of six weeks and make prayer for regular bail, which will be considered by the learned court below without being prejudiced by the order of this Court.

So far as the petitioner nos. 1, 3 to 9, as named above, are concerned, in the event of arrest or surrender before the court below within a period of six weeks, are directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad in connection with Khudwan P.S. Case No. 45 of 2016, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

With following conditions:

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court;



(ii) The petitioners will not induce any witness or tamper with the evidence; and

(iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation and direction, this application is disposed of accordingly.

(Vinod Kumar Sinha, J)

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