

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44414 of 2017**

Arising Out of PS.Case No. -99 Year- 2017 Thana -KOTWA District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Muna Singh, Son of Arun Singh,
  2. Arun Singh @ Arun Kumar Singh, son of Satya Narain Singh
  3. Ashok Singh Son of Satya Narain Singh,
  4. Satya Naraiyan Singh Son of Late Mahadeo Singh,
  5. Shankar Mahto Son of Late Raj Kumar Mahto,
  6. Ganesh Mahto Son of Late Shyam Bihari Mahto,
  7. Awanish Kumar Son of Ashok Kumar,
  8. Vijay Pandit Son of Lakshman Pandit, All R/o Village- Belwa Madho ,  
P.S.- Kotwa, District- East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Lalan Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
ORAL ORDER

3      22-09-2017                      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 Kotwa P.S. Case No. 99 of 2017 for the offences punishable under sections 147, 148, 149, 447, 341, 323, 379 and 307 of the I.P.C.

Allegedly, when the informant was on duty at the construction site of the patrol pump the petitioners and other co-accused came being armed and attacked on the informant. The



petitioner no.2 assaulted with iron rod on his head causing injury on the right eye, petitioner no.4 being armed gave order to kill and then petitioner no.3 after pointing out knife snatched Rs. 50,000/-, ring and chain and the petitioner no.4 snatched mobile valued at Rs. 13,000/- and further all assaulted with lathi and danda and injured the informant.

Submission is of false implication and that the aforesaid patrol pump was under construction by encroaching some piece of land for which the petitioner no. 4 has filed Title Suit No. 74 of 2016 which is pending in the court of Sub. Judge-13, Motihari, the injury report of the informant goes to show that he has received redness on right eye and pain and swelling on the left arm and the injuries were caused by the hard and blunt substance, the allegation under section 379 of the I.P.C. is ornamental and have been added with a view to make the offence serious and non-bailable, no offence under section 307 of the I.P.C. is made out and rest of the offences are bailable, this case has been initiated with a view to put pressure upon the petitioners to compromise or to withdraw Title Suit No. 74 of 2016 and as such the petitioners deserve sympathetic consideration.

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



In the facts and circumstances stated above, 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 A.C.J.M-X, Motihari (East Champaran) 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)**

Abhay/-

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