

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55632 of 2017

Arising Out of PS.Case No. -335 Year- 2017 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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Munna Singh @ Navin Kumar Singh Son of Late Upendra Narayan Singh
Rathaur @ Upendra Singh, R/o Village- Jagirahan Kothi, P.S.- Ghorashan,
District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with
Ghorasahan P.S. Case No.335 of 2017 instituted for the offence
under Sections 302/120B/34 of the Indian Penal Code and 27 of
the Arms Act.

Learned counsel for the petitioner has submitted that the
petitioner is not named in the F.I.R. His name has surfaced during
investigation.

In the F.I.R., informant alleged that there is land dispute
with her **pattidar** Vinod Rai for which a case is pending. On
4.7.2017 at about 8.30 P.M. her sons, namely, Rosh Kumar and
Sonu Kumar were coming to house by motorcycle after closing
their shop and she was waiting for their arrival and in the



meantime, she saw that Vijay Rai threw chilly power in the eye of her son Rosh Kumar as a result of which motorcycle stopped and thereafter accused persons named in the FIR, namely, Jayasi Lal Rai, Pramod Rai, Satish Rai, Umesh Rai, Vijay Rai, Shiv Pujan Rai son of Late Ram Baran Rai, Lal Bahadur Rai and Shiv Pujan Rai son of Suraj Rai came and surrounded her sons. Jayasi Lal Rai fired from Nalkatua upon her son Rosh Kumar as a result of which he received gun shot injury on his head and he fell down then Umesh Rai gave farsa blow on his waist and Pramod Rai fired from Nalkatua upon her son Sonu Kumar as a result of which he received gun shot injury on his head and Satish Kumar assaulted him with handle of hand pipe as a result of which he became seriously injured.

As such there is no allegation of specific overt act against the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, namely above, within six weeks from today, in connection with Ghorasahan P.S. Case No.335 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikrahana, Dhaka, East



Champan, subject to the conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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