

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14943 of 2017

Arising Out of PS.Case No. -108 Year- 2016 Thana -BIHRA District- SAHARSA

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1. Anand Kishor Singh @ Anand Singh @ Munna Singh son of Rudra
Narayan Singh resident of village - Patori, P.S. - Bihra, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikunj Shekhar

For the Opposite Party/s : Mr. Sri Mustaque Alam

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 09-05-2017 Heard both sides.

The petitioner seeks bail in Bihra P.S. case No. 108 of 2016 under Section 307 and other Sections of the Indian Penal Code. Section 302 of the IPC was later on added after death of Kishore Kumar, husband of the informant.

The informant named the petitioner along with 13 other accused persons and alleged that the accused persons opened firing and looted away different articles from her house. The informant further alleged that Mantun Singh assaulted her husband, Kishore Kumar, with Farsa on his head. Tarjan Singh assaulted the informant with Garasa. Siddhartha Saurabh, younger son of the informant, was assaulted by petitioner and Mithilesh Singh assaulted him with iron rod. Prince Singh and Sanjeev Singh assaulted eldest son of the informant with Farsa.

The learned counsel for the petitioner submits that



Siddhartha Saurabh and Suman Saurabh, both sons of the informant, got simple injuries. Mantun Singh is the assailant of Kishore Kumar, who died during the course of investigation. The petitioner did not touch the body of Kishore Kumar.

On the other hand, the learned Additional Public Prosecutor opposed the prayer for bail.

It appears that petitioner is not the assailant of the deceased, Kishore Kumar. The petitioner is alleged to have assaulted Siddhartha Saurabh, younger son of the informant, and from perusal of the injury report of Siddhartha Saurabh, it appears that, Siddhartha Saurabh got two injuries and both the injuries are opined to be simple in nature, caused by hard and blunt substance.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st class, Saharsa in Bihra P.S. Case No. 108 of 2016.

(Prabhat Kumar Jha, J)

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