

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43680 of 2017

Arising Out of PS.Case No. -152 Year- 2017 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Ram Pravesh Singh, Son of Late Gaya Singh,
2. Anirudh Singh, Son of Late Gaya Singh.
3. Pramod Kunwar, Son of Late Durga Kunwar.
4. Jaikishore Singh, Son of Ram Pravesh Singh.
5. Sonu Singh, Son of Ram Pravesh Singh, All are resident of Village-
Chakiya, P.S.- Panapur, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar

For the Opposite Party/s : Mrs. Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 22-09-2017 Heard both sides.

The petitioners apprehend their arrest in Baikunthpur P.S. case No. 152 of 2017 under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that he got telephone from his house that on his land accused persons were filling earth. The informant went there and protested. Ram Pravesh Singh, petitioner No.1, is said to have indiscriminately assaulted the informant with knife causing injury on different parts of his body. Anirudh Singh is said to have snatched Mangalsutra from the possession of wife of the informant. Other accused persons also assaulted the wife of



the informant.

The learned counsel for the petitioners submits that petitioners purchased land from Rajshri Kunwar, the aunt of informant. The aunt of the informant is a widow and that is why the occurrence took place as the informant wanted to grab the land of his aunt. It is further submitted that there is no specific allegation of assault against the petitioners. The learned Sessions Judge has mentioned in his order that Arvind Kumar Singh, the informant, got four injuries but all the injuries are simple in nature.

It appears from perusal of the FIR that Ram Pravesh Singh, petitioner No.1, is alleged to have made indiscriminate assault with knife causing injuries on different parts of the body of informant. The doctor also found sharp cut injury on forehead and lip.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner No.1, Ram Pravesh Singh, on anticipatory bail. Accordingly, the same is rejected.

So far as case of petitioners No.2, Anirudh Singh, 3. Pramod Kunwar, 4. Jaikishore Singh and 5. Sonu Singh are concerned, there is no specific allegation of assault against them.

Considering the facts aforesaid and the nature of allegation made against the petitioners No.2, Anirudh Singh, 3.



Pramod Kunwar, 4. Jaikishore Singh and 5. Sonu Singh, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are 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 learned Additional Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. case No.152 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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