

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.61798 of 2018**

Arising Out of PS. Case No.-200 Year-2017 Thana- LAURIA District- West Champaran

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1. Rama Singh, Son of late Hardev Singh
  2. Sita Devi, W/o-Rama Singh
  3. Bajrang Singh, S/o-Late Hardev Singh, All Resident of Village-Mathiya, P.S.- Lauriya, District-West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Vikram Jeet

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      06-10-2018                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 308 and 379 of the Indian Penal Code.

The prosecution case as per the fardbeyan of Gopalji Singh, recorded on 24.07.2017 at 2.15 PM at Surgical Ward of M.G.K. Hospital, Bettiah by Jitendra Prasad Singh, S.I. of Louriya Police Station is to effect that on 22.07.2017, the informant was sitting at his door, in the meantime all the accused persons came and started constructing the plinth on the public road and on protest being made, all the accused persons including the petitioners came variously armed at the door of the



informant and started abusing him. It is alleged that the petitioner no.1, Rama Singh assaulted with Garasa on the head of the informant causing injury on his head and when, the father of the informant came to rescue him, co-accused Vikash singh assaulted him with an iron rod. It is further alleged that co-accused Vikash Singh snatched a gold chain and took away Rs. 5,000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioners that the petitioners are the agnates of the informant. For the occurrence of 22.07.2017, the FIR was registered on 26.07.2018. It is further submitted that the petitioners' side also lodged a case being Lauriya P.S. Case No. 198 of 2017 at earlier point of time on 22.07.2017 itself. The injury of the informant has been found to be simple in nature. The informant has subsequently retracted from his initial version. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP that the petitioners are named in the FIR with specific accusation.

Considering the delayed lodging of the FIR, accusation of assault not being corroborated by the medical opinion and the case lodged by the petitioners' side against the



informant's side at earlier point of time, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **ACJM-1<sup>st</sup>, Bettiah** in connection with **Lauriya P.S. Case No. 200 of 2017**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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