

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8668 of 2018

Arising Out of PS.Case No. -295 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sunil Kumar Singh, S/o Parmanand Singh.
 2. Raj Kumar Singh, S/o Parmanand Singh.
 3. Amit Kumar Singh @ Chunchun Singh @ Amit @ Chunchun, S/o Maheshwar Singh.
- All Resident of Village- Gopalpur, P.S.- Madhuban, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Madhuban P.S. Case No.295 of 2017 registered under Sections 341, 323, 504 and 307/34 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that when the informant was returning to his house after ploughing his field then he saw that the nine ships of wood, which were kept by him near the State-boring, were being uplifted by the petitioner no.1 Sunil Kumar Singh and



petitioner no.3 Amit Kumar Singh alias Chunchun Singh alias Amit alias Chunchun. The informant identified them by the headlight of the tractor on which the wood was being loaded but he could not identify the others. Thereafter, the informant came to his house and while he was narrating the incident to his family members, at that time, the petitioner no.1 along with other accused forming an unlawful assembly came to the door of the informant and the petitioner no.1 shot fire through his Katta in which the informant received the spot of 'Barood' at his both hands and face. The informant succeeded to catch hold of the petitioner no.1 with Katta but, in the meantime, the petitioner no.2 Raj Kumar Singh came and snatched the Katta. Thereafter, all gave threatening to the informant of dire consequences.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are the Gotiyas of the informant and due to land dispute, the occurrence of scuffle took place between the parties regarding which on the basis of the written report of Parmanand Singh, the father of the petitioner nos.1 and 2, Madhuban P.S. Case No.296 of 2017 against the informant and others was also instituted. Moreover, there is no specific allegation against the petitioner nos.2 and 3 whereas the allegation against the petitioner no.1 to make firing causing spot of 'Barood'



on his both hands and face.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-IV, Motihari, East Champaran, in connection with Madhuban P.S. Case No.295 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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