

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33584 of 2018

Arising Out of PS.Case No. -147 Year- 2018 Thana -
FATUHA District- PATNA

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1. Guddu Singh @ Guddu Kumar

2. Ranjay Kumar

Both S/o Hriday Singh,

3. Ganesh Prasad @ Ganesh Kumar

4. Rajesh Kumar

5. Vinay Singh @ Vinay Kumar

All are Sons of Late Ram Babu Singh,

6. Kishor Singh @ Lal Kishor Prasad @ Lal Kishor, S/o Late
Jhaman Singh.

7. Naulesh Kumar, S/o Shri Kishor Singh @ Lal Kishor
Prasad @ Lal Kishor.

All are r/o Vill.-Nishibuchak, P.S.-Fatuha, Distt.-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Mishra

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 03-07-2018 The petitioners seek bail in anticipation of their
arrest in connection with Fatuha P.S. Case No. 147 of 2018,
dated 14.03.2018, instituted for the offences punishable



under Sections 147, 148, 149, 341, 323, 307, 504, 379 and 354 of the Indian Penal Code and Section 27 of the Arms Act.

The two sons of the informant are alleged to have been assaulted at the hands of the accused persons including the petitioners. Petitioner Nos. 1 and 3 are specifically attributed with assaulting the sons of the informant. So far as the other petitioners are concerned, they are, though named in the F.I.R. but as against them, the allegation is general and omnibus in nature.

Learned counsel for the petitioners has submitted that there is a series of litigation pending between the parties. The bone of contention between them is a plot of land, which stands in the name of the father of petitioner No. 2. Over the aforesaid plot of land, proceedings under Sections 144 and 145 of the Cr.P.C. are also continuing. This has led to a spate of litigation as stated before.

However, regard being had to the fact that petitioner Nos. 1 and 3 are specifically attributed to have indulged in assault leading to injuries, though simple in nature, their prayer for anticipatory bail is, hereby, rejected.

Considering the aforesaid facts, the petitioner Nos. 2, 4, 5, 6 and 7, above named, are directed to be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks



from today, on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Patna City, Patna in connection with Fatuha P.S. Case No. 147 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

In case the petitioner Nos. 1 and 3 surrender before the court below and seek regular bail within a reasonable period of time, the court below shall take into account the aforesaid background of enmity and that the injuries suffered by the sons of the informant are simple in nature and would pass an order in accordance with law without being prejudiced by the fact that their present petition has not been entertained.

(Ashutosh Kumar, J)

Praveen-II/-

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