

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63711 of 2017

Arising Out of PS.Case No. -169 Year- 2017 Thana -AMNOUR District- SARAN

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1. Hem Chandra Singh, S/o Late Rajdeo Singh,
2. Abhishek Kumar @ Abhishek Kumar Singh S/o Hem Chandra Singh,
Both R/o village- Goshi, Amnour, P.S.- Amnour, 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. Binod Kumar Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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

ORAL ORDER

2 12-01-2018 Heard both sides.

The petitioners apprehend their arrest in Amnour P.S.
Case No.169 of 2017 registered under Sections 307 and other
Sections of the Indian Penal Code.

The informant, Mahesh Kumar Singh alleged that the
petitioner, Hem Chand Singh assaulted with farsa and Abhishek
Kumar assaulted his brother, Subodh Kumar Singh with daab on
his head.

The learned counsel for the petitioners submits that
prior to institution of the case, Amnour P.S. Case No.158 of 2017
was registered in which it is alleged that petitioners and other
brutally assaulted Suresh Kumar Singh who died in his way to



hospital. The petitioners are the agnates. It is further submitted that injuries found on the person of Mahesh Kumar Singh, the informant and Subodh Kumar Singh, his brother are simple in nature. The present case has been filed in order to create defence.

On the other hand, the learned counsel for the informant as well as learned Additional P.P. vehemently opposed the prayer for bail and submitted that the informant was brutally assaulted and he made his statement in Chapra Medical Hospital when he was under treatment.

It appears from the records that prior to institution of the present case, Amnour P.S. Case No.158 of 2017 was registered under Section 302 and other Sections of the I.P.C. The informant, Mahesh Kumar Singh and Subodh Kumar Singh are made accused and they are alleged to have assaulted Suresh Kumar Singh and others. Suresh Kumar Singh died. The informant and his brother got simple injury and the case was lodged one day after the occurrence. The informant made statement in the hospital on the next day although, the injury appeared to be simple in nature.

Considering the facts aforesaid, 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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. V, Saran at Chapra in connection with Amnour P.S. Case No.169 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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