

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68517 of 2018

Arising Out of PS. Case No.-138 Year-2018 Thana- MAHNAR District- Vaishali

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1. Shashi Bhushan Kumar Singh @ Shashi Bhushan Singh,
 2. Rahul Kumar Singh @ Rahul Kumar,
 3. Shyam Singh,
 4. Sushil Singh @ Sushil Kumar Singh. All sons of Dinkar Singh.
 5. Dinkar Singh, S/o Late Sukhdev Singh. All R/o Village- Hasanpur, P.S.- Mahnar, District- Vaishali.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Rina Sinha, Advocate.
For the Opposite Party : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 147, 148, 149, 341,
323, 324, 307, 504 of the IPC and 27 of the Arms Act

The prosecution story, in brief, is that on 23.06.2018
at about 9.00 A.M. petitioners and others were fixing bamboos
in disputed land and when the informant protested then all
accused persons abused and assaulted him with *Sabal* resulting
he sustained head injury. Then he went his house but all accused
persons entered into the house and assaulted his wife, son and
other family members and co-accused Sanjay Singh attacked on



Rahul Kumar for which his wife Asha Devi and son Hemant Kumar received head injuries. Co-accused Pawan Kumar made fire but he did not receive injury. Then with the help of co-villagers, all injured persons were taken to P.H.C. Mahnar where they are being treated by the doctor.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is case and counter case between the parties. There is admitted land dispute between the parties. Injury on the side of accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, in connection with Mahnar P.S. Case No.



138/2018, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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