

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72805 of 2018

Arising Out of PS. Case No.-267 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

1. Binod Singh, S/o late Ramcharitar Singh.
2. Anil Singh.
3. Sunil Singh. Both are S/o Binod Singh. All are Residence of Village- Dakni Bigha, P.S. Makhdumpur, Distt. Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Nitya Nand Neeraj, Advocate.
For the Opposite Party : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-12-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 148, 149, 341, 448, 337, 307 and 504 of the IPC.

The prosecution story, in brief, is that on 24.07.2018 while the informant alongwith his brother Krishnandan Singh were cutting fodder from machine, all F.I.R. named accused persons forming an unlawful assembly armed with *Lathi*, *Danda and Khanti*, small pieces of brick came into his home and brutally assaulted them. In course of occurrence, many members of the prosecution party sustained injury on their persons then local villagers came and accused persons fled



away. Two days before the occurrence, there was some dispute relating to ritual.

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. There is case and counter case between the parties. The alleged occurrence is said to have taken place due to petty reason. Free fight is alleged to have taken place. Injury on the side of accused persons has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsel for the State, it has been 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 S.D.J.M. Jehanabad, in connection with Makhdumpur P.S. Case No. 267 of 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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