

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58920 of 2018

Arising Out of PS.Case No. -213 Year- 2018 Thana -GOPALPUR District- BHAGALPUR

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1. Chhotu Kumar, Son of Tarni Singh.
2. Tarni Singh, Son of Late Jiya Lal Singh, Both Residents of Village-
Murli, P.S. Rangra O.P., District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

Learned counsel for the petitioners submits that petitioner
no.2 (Tarni Singh) has died and as such this application has
been rendered infructuous.

In such view of the matter, the present application is
dismissed as having become infructuous against the petitioner
no.2.

The petitioner no.1 seeks anticipatory bail in Gopalpur
(Rangra) P.S. Case No.213 of 2018 instituted for the offences
under Sections 147, 148, 149, 341, 342, 307, 379, 504 and 506
of the Indian Penal Code and Section 27 of the Arms Act.

Allegation has been made against the petitioner in the



night at 11:00 PM on 10.06.2018 alongwith Tarni Singh, Pappu Singh and other accused persons came and surrounded the family members of the informant and started firing in discriminate manner, on that account all the family members having scared and have rushed to the house, the informant was caught. Allegation has been made that Tarni Singh caused injury on the head of the informant by Masket, Chotu Singh assaulted with butt and fists and Pappu Singh assaulted with butt of rifle and after sometimes time informant became unconscious.

Learned counsel for the petitioner submits that there is also a concocted version and for that Renu Devi from the side of accused persons filed another case as Gopalpur (Rangra) P.S. Case No. 216 of 2018 dated 11.06.2018, in which timing was given at 10:00 O'clock in the night on the same. The informant's sides, namely, Devendra Singh, Mahendra Singh and other accused persons came with lethal weapons and started hurling abuses and said that they have kept Tarni Singh in her house and told to bring him out otherwise they will face dire consequences.

Learned counsel for the petitioner submits that they came in the night and they have assaulted Renu Devi and others and



on return they have lodged a concocted case.

It appears from the First Information Report that the manner of occurrence in the present case only indicates that they terrorizef the persons and also assaulted the female inmates.

In such view of the matter, this Court is not inclined to enlarge the petitioner on anticipatory bail. Accordingly the prayer for bail is rejected. However, if the petitioner surrenders before the court below within a period of four weeks from today, the court below will pass an order on its own merit without being prejudiced by the order passed by this Court.

(Shivaji Pandey, J)

Vinay/Sunny

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