

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32612 of 2018

Arising Out of PS. Case No.-63 Year-2018 Thana- OBRA District- Aurangabad

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1. Satyanarayan Singh.
 2. Baban Prasad Singh,
 3. Sri Krishna Pd. Singh @ Krishna Pd Singh. Petitioner NO. 1 to 3 are sons of Late Ramraj Singh.
 4. Mukesh Kumar, Son of Om Prakash Singh,
 5. Vikash Kumar, Son of Krishna Prasad Singh,
 6. Santosh Kumar, Son of Baban Prasad Singh, All are the Resident of Village- Nawadih, P.S.- Obra, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate.
		Mr. Santosh Kumar Pandey, Advocate.
For the Opposite Party/s	:	Mr. Sri Iftekhhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-06-2018 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Obra P.S. Case No. 63 of 2018 registered under Sections 341, 323, 307, 379 and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that petitioners came in the vegetable field of informant, Gupta Pd. Singh. At that time, petitioner no. 4, Vikash Kumar, had gun in his hand and petitioner no. 6, Santosh Kumar, had lathi in hand. On the order of petitioner no. 3, Sri Krishna Pd. Singh, petitioner no. 4, Mukesh Kumar, laid him on the ground and started to cause assault through fist and slaps. In the



meantime, petitioner no. 2, Baban Prasad Singh, pressed his neck. On hearing alarm, family members of informant rushed there then Satnarayan Singh order to kill him, on which, petitioner no. 5, Vikash Kumar, opened fire and petitioner no. 5, Santosh Kumar, caused injury to him through lathi.

Learned counsel for the petitioners submits that, in fact, hot talk were exchanged in between the parties due to land dispute, but with ulterior motive the present case has been lodged with false allegation. Moreover, the injury, as found on the person of the informant, is simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Daudnagar, Aurangabad, in connection with Obra P.S. Case No. 63 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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