

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51757 of 2018

Arising Out of PS.Case No. -108 Year- 2018 Thana -NAWANAGAR District- BUXAR

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1. Kamla Singh, S/o Late Brij Bihari Singh,
 2. Dindayal Singh, S/o Hirdaya Singh,
 3. Manoj Singh S/o Rajendra Singh, All residents of Vill.- Girdhar Baraon,
P.S.- Nawanaganar (Sonbarsa), District- Buxar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Binod Kumar Singh, Advocate.

For the Opposite Party : Mr. Bisheshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2018 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, 323, 324,
379, and 504/34of the IPC.

The prosecution story, in brief, is that on 11.06.2018
at about 5.00 A.M., while the informant alongwith his father
namely, Rameshwar Singh and elder brother Sonu Singh were
coming from his Mango Orchard, accused Kamla Singh, Dindayal
Singh, Chandrawati Devi, Lakshmi Kumari, Manoj Singh, started
assaulting his father, informant and Sonu Singh with iron rod
because of not draining latrine water upon his *Khatiyani* land. It is



further alleged that Kamla Singh assaulted on the head of his father with iron rod causing head injury. Kamla Singh assaulted the informant with iron rod causing hand, shoulder and chest injury. He also assaulted his brother with iron rod and Dindayal Singh assaulted with rod causing right wrist, elbow and stomach injury. It is further alleged that ladies attacked with bricks and stones. They also gave threatening of dire consequences. During course of occurrence, wife of Shyam Bahadur Singh snatched gold chain worth of Rs. 45,000/-.

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. It is case and counter case between the parties. Both sides are said to have sustained injuries. Injury on the side of petitioners has not been explained by the prosecution. The prosecution has not come with a clean hand. The alleged occurrence is said to have taken place due to exit of drainage water.

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., Buxar, in connection with Nawanagar (Sonebarsa) P.S. Case No. 108 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

