

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57849 of 2018

Arising Out of PS. Case No.-94 Year-2018 Thana- HISUWA District- Nawada

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1. Ramdeo Singh @ Ramdeo Sharma, Son of Late Hari Singh
 2. Abadh Singh, Son of Late Hari Singh
 3. Runjay Kumar @ Runjay Sharma @ Runjay Singh, Son of Ramdeo Singh @ Ramdeo Sharma
 4. Pramod Singh, Son of Ramdeo Singh @ Ramdeo Sharma.
- All resident of Village Ursa, P.S. Hisua, District Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Adv.

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsels for the petitioners and
learned A.P.P. for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 323, 324, 325, 307, 504 and 506 of the IPC.

The prosecution case, as per the written report of Arbind Kumar, dated 10.04.2018, submitted to the S.H.O. Hisua Police Station, is to the effect that on 10.04.2018 at 2.00 P.M., the informant along with his father Rajendra Singh and cousin brothers Pappu Singh and Vivek Kumar was working in the field. In the meantime, co-villagers, Petitioner No.1, Ramdeo Singh, Petitioner No.2, Abadh Singh, Petitioner No.3 Runanjoy



Kumar, Petitioner No.4, Pramod Singh and co-accused Mithlesh Devi came, being variously armed and on the order of Petitioner No.2, Abadh Singh, petitioner no.3, Runanjay Kumar assaulted with sword on the head of the father of the informant, as a result of which, the father of the informant fell down and when the informant went to rescue him, then petitioner no.4, Pramod Singh assaulted him with Garasa causing injury on the head and co-accused Ajay Singh assaulted the informant with iron-rod causing fracture injury on his hand. Thereafter, when the cousin brothers of the informant Pappu Singh and Vivek Kumar came to rescue, petitioner no.1, Ramdeo Singh thrashed Pappu Kumar on the ridge whereas petitioner no.2, Abadh Singh assaulted Pappu Kumar with iron-rod on his head. Petitioner No.4, Pramod Singh assaulted Vivek Kumar with Garasa on his head causing cut injury.

It is submitted by the learned counsel for the petitioners that in the background of land dispute the accusation has been levelled and there is no specific accusation against the petitioners. The injuries have been found to be simple caused by hard and blunt substance. There is a counter version of occurrence also, being Hisua P.S. Case No.95 of 2018, registered for offences punishable under Sections 147, 148, 323, 324, 325,



307, 379, 504 and 506 of the I.P.C. A statement has been made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent.

Considering the fact that the accusation is not being corroborate with the medical opinion, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned C.J.M., Nawada in connection with Hisua P.S. Case No.94 of 2018 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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