

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30581 of 2018

Arising Out of PS. Case No.-110 Year-2017 Thana- NATWAR District- Rohtas

1. Uma Singh
2. Umesh Singh,
3. Dinesh Singh,
4. Ramashish Singh, All are sons of Late Chandrika Singh, Resident of Village- Prastampur, P.S.- Natwar, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey
For the Opposite Party/s : Mr. Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-05-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 504, 379 and 427 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the written report of Pritam Kumar dated 11.12.2017, submitted before the Station House Officer, Natwar Police Station, is to the effect that, on 10.12.2017 at 6 P.M. the informant was returning home on his Hero Honda Motorcycle. In the meantime 15 accused persons including the petitioners, being variously armed, attacked the informant. Initially they assaulted the informant with lathi and danda causing injury on the left thumb. On alarm being raised



the aunt of the informant, Shyamlata Devi and his sister Nilu Kumari came running and tried to save the informant, upon which the accused persons restarted to firing. The firing was made by co-accused, Rampravesh, Shekhar Singh, Sunil Singh and Harihar Singh, causing injury to the sister and aunt of the informant. The accused persons also damaged the motorcycle of the informant.

It is submitted by the learned counsel for the petitioners that the accusation of assault is not specific against the petitioners rather the accusation of firing has not been levelled against the petitioners. Petitioners side have filed Natwar P.S. Case no. 109 of 2017 against the informant and as a retaliatory measure, the present case has been lodged.

A statement has been made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are being named in the FIR.

Considering the fact that there is no specific accusation of the assault against the petitioners coupled with the statement made in the paragraph no. 3 of the petition that the petitioners are not having any 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 J.M, Bikramganj, Rohtas, in connection with Natwar P.S. Case No. 110 of 2017, 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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