

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1517 of 2018

Arising Out of P.S.Case No. -141 Year- 2017 Thana -TELHARA District- NALANDA
(BIHARSHARIFF)

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1. Ramashray Singh, Son of Late Baran Singh.
 2. Subhay Singh, Son of Ramashray Singh, Both residents of Village Daulatpur, P.S. Telhara, District- Nalanda.

.... Petitioners.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 10-01-2018

Heard learned counsel for the petitioners and learned

APP for the State.

The petitioners seek bail in Telhara P.S. Case No. 141 of 2017 registered under Sections 147, 148, 149, 323, 337, 338, 307, 302 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, petitioners along with other accused persons are said to have assaulted the women folk and children of the informant while co-accused, namely, Sudhir Kumar @ Babloo Kumar is said to have assaulted Dhiraj Kumar by means of gun. Lalan Singh assaulted Chandan Kumar by means of gun while Binay Singh assaulted Niraj Kumar by gun over row of construction of lane and drainage. Dhiraj Kumar succumbed to his injuries.



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It is submitted by learned counsel for the petitioners that the allegation of assaulting the women folk and children of the informant by means of lathi is not specific rather general and omnibus in nature. Petitioners do not happen to be the assailant of Dhiraj Kumar. There is a case and counter case between the parties aforesaid row. The petitioners have been languishing in custody since 28.10.2017.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Hilsa (Nalanda) in connection with Telhara P.S. Case No.141 of 2017.

(Prakash Chandra Jaiswal, J)

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