

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72590 of 2018

Arising Out of PS. Case No.-141 Year-2018 Thana- KOCHAS District- Rohtas

-
1. Sanjay Singh, Son of Jagdish Singh
 2. Binod Singh, Son of Late Daras Singh
 3. Hira Singh, Son of Late Daras Singh

All are Resident of Village-Umapur Tola, P.S. Kochas (Parasathua O.P.),
Distt.-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-12-2018 The learned counsel for the petitioners seeks

permission to withdraw this application with respect to

petitioner No.3/Hira Singh, who has been arrested.

Permission is accorded.

The application with respect to petitioner No. 3 is

dismissed as having become infructuous with his arrest.

The petitioner Nos. 1 and 2 seek bail in anticipation

of their arrest in connection with Kochas (Parasathua) P.S.

Case No. 141 of 2018, dated 26.07.2018, instituted for the

offences under Sections 147, 148, 149, 341, 323, 504, 506



and 302 of the Indian Penal Code.

The prosecution case as per the fardbeyan of Harendra Kumar Singh recorded by S.H.O. of Parasathua O.P. on 26.07.2018 is to the effect that on 26.07.2018 at 7:30 A.M., when the informant, his father Bhim Singh, uncle Mathura Singh and brothers Pappu Kumar, Sunil Kumar Singh and Birendra Kumar Singh were cleaning the drain which is claimed by the informant to be on his land, the accused persons including the petitioners came and assaulted them. On hearing alarm, the informant's mother Naurangi Devi came to their rescue. In the meantime, co-accused Santosh Singh assaulted the mother of the informant with *lathi* on her head resulting in her death.

The learned counsel for the petitioners has submitted that in the background of land dispute, this accusation has been levelled. The accusation of assault is not specific against the petitioners. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent. It has further been submitted on behalf of the petitioners that some of similarly



situated accused persons have been granted anticipatory bail
by a Bench of this Court.

The learned counsel for the State submits that the
petitioners are named in the F.I.R.

Considering the aforesaid facts, the petitioner Nos.
1 and 2 above named, in the event of their arrest or
surrender before the learned Court below within a period of
four weeks from the date of receipt/production of a copy of
the present order, are directed to be released on bail on their
furnishing bail bonds of Rs. 10,000/- (Rupees Ten
Thousand) each with two sureties of the like amount each to
the satisfaction of learned Addl. Chief Judicial Magistrate-I,
Sasaram, Rohtas in connection with Kochas (Parsathua) P.S.
Case No. 141 of 2018, subject to the conditions laid down
under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

