

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41125 of 2018

Arising Out of PS.Case No. -228 Year- 2016 Thana -BARHARA District- BHOJPUR

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1. Rameshwar Singh @ Ram Ishwar Singh, S/o Late Ram Nath Singh,
 2. Guddu Singh, S/o Ram Ishwar Singh @ Rameshwar Singh, Both Residents of Vill.- Ekauna, P.S.- Barhara, District- Bhojpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sada Nand Roy, Advocate.
For the Opposite Party : Mr. Ram Anurag Singh, A.P.P.
For the Informant : Mr. C. Jawahar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-09-2018 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners are languishing in custody since 23.12.2017 in a case for the offence registered under Sections 147, 148, 149, 341, 323, 307, 324, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 03.07.2016 at about 8.00 A.M., when the informant and his relatives Paras Nath Singh, Kanhaiya Singh and Umesh Kumar Singh was going to watch his field, petitioners and others came and instigated to Rahul Singh for snatching the rifle of Paras Nath Singh. Upon which, Rahul Singh snatched the rifle. In the meantime, Jai Nath Singh made firing which caused injury on left thigh of the



informant and co-accused Kashi Nath Singh fired from gun which caused injury to the informant on his chest and abdomen and Munna Singh given *Bhala* blow which caused injury on left scrotam and thigh and Uttam Singh by means of *Bhala* caused injury on left hand of the informant and Sunny Singh given *Bhala* blow on the back of the informant and co-accused Ravish Kumar Singh fired from *Katta* which caused injury on the left leg knee to Umesh Kumar Singh and Suraj Deo Singh by means of *Katta* caused injury on the left leg knee and Budh Nath Singh given *Dab* blow on the head of son of informant and Guddu Singh (petitioner no. 2) given *Lathi* blow to Umesh Kumar Singh on the abdomen, chest and back and Rameshwar Singh (petitioner no.2) indiscriminately assaulted the son of the informant. On cry, villagers and family members reached there and accused persons fled away.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have remained in custody for nine months. The petitioners are alleged to have assaulted the son of the informant. It is case and counter case between the parties.



There is land dispute between the parties. Both sides have sustained injury in course of occurrence.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioners are named in the F.I.R. and nature of injury is grievous.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on 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. Bhojpur at Ara, in connection with Barhara P.S. Case No. 228 of 2016.

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(Sudhir Singh, J)

