

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51700 of 2018

Arising Out of PS.Case No. -182 Year- 2014 Thana -NAWADA District- NAWADA

- =====
1. Chhotu Singh, S/o Chand Singh, R/o Vill.- Aanti, P.S.- Nagar (Kadirganj), District- Nawada.
 2. Prem Singh S/o Nagendra Singh, R/o Vill.- Aanti, P.S.- Nagar (Kadirganj), District- Nawada.
 3. Dhiraj Singh S/o Shri Shyamdeo Singh, R/o Vill. - Aanti , P.S.- Nagar (Kadirganj), District- Nawada.
 4. Pankaj Singh S/o Anil Singh, R/o Vill.- Aanti, P.S.- Nagar (Kadirganj), District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 20-09-2018

Heard learned counsel for the petitioners and learned A.P.P.
for the State.

2. The petitioners apprehend their arrest in connection with Nawada Nagar (Kadriganj) P.S. Case No.182 of 2014 dated 11.04.2014, registered under Sections 147, 148, 149, 323, 324, 307, 448, 436, 427, 504 of the Indian Penal Code and 27 of Arms Act.

3. The allegation against the petitioners and FIR named accused persons is that they had come in a mob and after breaking the door of the informant assaulted his wife and started fire in the house of the informant and other co-villagers and then having run away.



4. Learned counsel for the petitioner submitted that the allegations are totally false. It was submitted that even in the subsequent statement, the informant has not named the petitioner and in fact has told a different story to the police. Learned counsel submitted that the incident occurred due to some political rivalry on account of dispute in the election held a day prior to the alleged date of occurrence. Learned counsel drew the attention of the Court to order dated 03.08.2015 passed in Cr. Misc. No.34854 of 2014 in the case of Vivekanand Singh @ Bablu Singh @ Vivekanand Sharma, order dated 07.08.2018 passed in Cr. Misc. No.45729 of 2018 in the case of Bambam Singh @ Bam Singh @ Vishwnath Singh and order dated 31.08.2018 passed in Cr. Misc. No.50620 of 2018 in the case of Shyamdeo Singh, by which coordinate Benches have granted bail in the said case.

5. Learned A.P.P. submitted that there is allegation of firing against the petitioners no.2, 3 and 4 and the petitioner no.1 was also part of the mob and among the 11 persons who have been identified by the informant. It was further submitted that the incident reflects the high handedness of the petitioner that armed with weapons, they attacked the informant and other co-villagers, besides taking away various articles.

6. Having considered the facts and circumstances of the case



and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioners on anticipatory bail.

7. Accordingly, the petition stands dismissed.

8. However, if the petitioners surrender before the Court below within a period of four weeks from today and pray for regular bail, the Court below shall consider the same on its own merit without being prejudiced by the present order. It goes without saying that the petitioners shall have liberty to raise all points, including those canvassed before this Court.

(Ahsanuddin Amanullah, J)

Sanjeev/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.09.18
Transmission Date	20.09.18

