

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19928 of 2018**

Arising Out of PS.Case No. -88 Year- 2017 Thana -DANIYAWA District- PATNA

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1. Manish Kumar son of Krishna Singh @ Krishna Yadav
  2. Arun Kumar Son of Awadhesh Singh @ Bhikha Singh
  3. Kishore Singh Son of Rajendra Singh
  4. Sudarshan Kumar Son of Sachchidanand Singh
  5. Bipi Kumar
  6. Tippu Kumar both sons (5 & 6) of Kishore Singh
  7. Parmanand Kumar
  8. Laddu Kumar
  9. Guddi Kumari @ Guddi Kumar Sons (7 to 9) of Late Jai Prakash Singh
  10. Raj Kumar Singh son of Deoki Singh All are residents of village -  
Dalanichak, P.S. Daniyawan, District - Patna.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

02/ 05-04-2018

Heard learned counsel for the petitioners and

learned APP the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 448, 323, 324, 325, 325, 307, 354B, 379, 385 and 506 of the Indian Penal Code.



The prosecution case got initiated with the written report of Sanjay Kumar dated 06.08.2017 submitted to the Station House Officer of Daniyawar P.S. to the effect that on 06.08.2017 at 8.00 A.M. all the 13 accused persons named in the FIR including the petitioners with a view to kill the informant entered into his house variously armed and assaulted the informant causing injury on his finger. Co-accused Mithilesh (non-petitioner) strike with the butt of the pistol on the head of Sohan Singh who was also assaulted by Arun Kumar, petitioner no. 2 and Raj Kumar Singh, petitioner no. 10 with iron rod. Manish Kumar, petitioner no. 1 assaulted Rupa Devi and tried to outrage her modesty by tearing her blouse. Co-accused Shastanand Singh (non-petitioner) took a steel box from the house of the informant containing jewellery and articles worth Rs.1,00,000/- , co-accused Ripu Kumar and Bipi Kumar, petitioner no. 5 took earring and Mangal Sutra. Parmanand Kumar, petitioner no. 7 and Laddu Kumar, petitioner no. 8 assaulted with iron rod on the left leg of the informant.

It is submitted by learned counsel for the petitioners that in the background of old dispute between the parties the accusation has been levelled. The impugned order reflects that the learned Sessions Judge after going through the



case diary and the injury report found that Rupa Devi has complained pain in her neck whereas the injury report of informant Sanjay Kumar reflects swelling and pain in the finger. There is a counter version of the occurrence being Daniyawan P.S. Case No. 89 of 2017 registered with accusation under Sections 147, 148, 149, 337, 323, 379 and 427 of the Indian Penal Code, wherein the petitioners' side have also received injuries. A statement has been made in paragraph 3 of the petition that petitioner nos. 3, 4, 5, 6 and 8 are not having any criminal antecedent whereas petitioner nos. 1, 2, 7, 9 and 10 are accused in other case wherein they are on bail.

Learned APP, however, submits that the accusation is specific against the petitioners.

Considering the nature of accusation when injuries have been found superficial simple in nature and there is counter version of the occurrence also, let the above named petitioners be released on anticipatory bail in the event of arrest or 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 the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Patna City, Patna in connection with Daniyawan P.S. Case No. 88 of 2017,



subject to the conditions as laid down under Section 438(2) of the  
Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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