

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4556 of 2019

Arising Out of PS. Case No.-82 Year-2018 Thana- AAYAR District- Bhojpur

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1. Hirdya Nand Singh, age-42 years (M), Son of Late Ram Raj Singh @ late Raja Ram Mahto
 2. Santosh Singh, age 23(M), Son of Shri Hirdya Nand singh
 3. Putul Singh @ Mantosh Kumar, age -20 years (M), Son of Shri Hirdya Nand Singh
 4. Pawan Singh @ Pawan Kumar, age -18 (M), Son of Shri Hirdya Nand Singh
All resident of Isadhi, P.S.- Ayar, District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsels for the petitioners and the
State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379 and 504/34 of the IPC.

The prosecution case, as per the written report of Munmun Singh, dated 02.11.2018 submitted to the Station House Officer, Ayar Police Station, is to the effect that on 31.10.2018, at about 6.30 P.M., the informant demanded money from petitioner no.1, Hirdaya Nand Singh in lieu of land given by the informant at the brick kiln of petitioner no.1, Hirdaya Nand Singh, but he refused to give the same and ordered his sons, petitioner nos. 2



to 3 to kill the informant, whereupon, they assaulted the informant, as a result of which, the informant received bleeding injury on his head.

It is submitted by learned counsel for the petitioners that for the occurrence of 31.10.2018, the FIR was lodged on 02.11.2018. It is further submitted that in the background of earlier land dispute between the parties, the accusation has been levelled against the petitioners and none of the injuries caused to the informant has been found to be grievous. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioners.

Considering the fact that accusation of assault has been levelled in the background of a land dispute, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of learned ACJM, Ara, Bhojpur in



connection with Ayar P.S. Case No. 82 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

The bail bonds of petitioner nos. 2 to 4 shall be accepted by the learned Court below on verification of the fact that the informant has not received any grievous injury. If it is found that the informant has received grievous injury, then petitioner nos. 2 to 4 will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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