

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8258 of 2019

Arising Out of PS. Case No.-432 Year-2018 Thana- SUGAULI District- East Champaran

1. Rajiv Kumar Singh @ Bunela Singh @ Rajiv Singh, aged about 45 years, Gender-Male, Son of Bhagat Singh
2. Rajesh Singh @ Tuntun Singh @ Rajesh Kumar Singh, aged about 27 years, Gender-Male, Son of Bhagat Singh
3. Dilkhush Singh @ Dilkhush Kumar, aged about 18 years, Gender- Male, Son of Rajiv Kumar Singh @ Bunela Singh
4. Akash Singh @ Akash Kumar, Aged about 22 years, Gender-Male, Son of Rajiv Kumar Singh @ Bunela Singh
5. Anukul Singh @ Anukul Kumar, aged about 20 years, Gender-Male, Son of Rajiv Kumar Singh @ Bunela Singh

All are Resident of Village – Bhatahan, P.S.- Sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma
For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 13-02-2019 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 384, 379, 354(A), 354(B), 504 and 506/34 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the written report of Munnu Kumar Singh submitted to the Station House Officer, Sugauli



Police Station, is to the effect that on 20.10.2018 at 6.30 P.M., the accused persons came at the door of informant variously armed and abused and damaging the tent equipments of the informant. On protest being made by the informant, the accused persons assaulted him with lathi and danda. Thereafter the accused person Rajesh Singh and Akash Singh gave knife blow on his head and when his brother and nephew came to his rescue then they were also assaulted by the petitioners with knife. It is further alleged that accused persons snatched away his golden chain and Rs.12000/- from his pocket. Thereafter they also demanded an extortion of Rupees Two lakhs and fled away from the place of occurrence while resorting fire.

It is submitted by learned counsel for the petitioners that for the occurrence of 20.10.2018 at 6.30 P.M., the FIR was registered on 22.10.2018 at 8.15 P.M. A statement has been made in paragraph no.8 of the petition that the injuries caused are simple in nature. It is further submitted that the informant has retracted from the initial version and has filed a petition to that effect before the learned Court below, as contained in Annexure-2. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.



Learned APP submits that the petitioners are named in the
FIR.

Considering the accusation to be omnibus and general
in nature, moreover the informant has retracted from the initial
version, 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 petitioner 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 CJM, Motihari in connection with Sugauli P.S. Case
No.432 of 2018 subject to the condition as laid down under
Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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

