

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9857 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- KHODAWANDPUR District- Begusarai

1. Parmanand Singh, Son of Shri Bishundeo Singh, Residence of Village- Shyampur, P.S.- Khodawandpur (Chhaurahi O.P.), District- Begusarai.
2. Shanti Bhushan Singh @ Chunnu Singh, Son of Parmanand Singh Residence of Village- Shyampur, P.S.- Khodawandpur (Chhaurahi O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1
For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-02-2019 Heard both sides.

The petitioners apprehend their arrest in connection with Khodawandpur P.S. Case No.151 of 2018 registered under Sections 341, 307, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

The informant alleged that while he was sleeping in his house, he woke up on the sound of the person standing near his window and found that Rahul Singh, Manjesh Singh both son of Baban Singh and two other unknown persons were standing. Rahul Singh disclosed that Shashi Bhushan Singh has asked him to finish the work and thereafter made repeated firing which hit on his elbow and waist.



The learned counsel for the petitioner submits that the informant is own brother of petitioner No.1, Parmanand Singh and petitioner No.2 is the son of Parmanand Singh, petitioner No.1. There is land dispute between the two sides and for that the informant falsely implicated the petitioners. The petitioners were not even present on the place of occurrence. Petitioner No.1 is suffering from cancer and he is under treatment of doctor in Gujarat. The petitioner No.1 had gone to Gujarat for his treatment much prior to the date of occurrence. It is further submitted that there is no material that the petitioner conspired and hired criminal, namely, Rahul Singh and Manish Singh to kill his own brother.

Taking into consideration that the informant is own brother of petitioner No.1 and there is no material to show that the petitioners ever conspired to kill the informant, the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt / production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Manjhaul, Distt.-Begusarai in connection with Khodawandpur P.S. Case



No.151 of 2018, subject to conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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