

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13100 of 2019

Arising Out of PS. Case No.-140 Year-2018 Thana- NAGARNAUSA District- Nalanda

1. Ashok Singh, Son of Ram Bilash Singh, aged about 42 Years, Gender-Male, Village- Motiyampur, P.S. - Nagar Nausa, District- Nalanda.
2. Ramsuchit Singh, Son of Ram Bilash Singh, aged about 30 Years, Gender-Male, Village - Motiyampur, P.S.Nagar Nausa, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Rana Baljit Singh, Advocate.

For the Opposite Party : Mr.Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 148, 149, 341, 323, 307, 379, 504 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 07.11.2018 at about 6.30 P.M., the informant alongwith his family members was celebrating Dipawali. Suddenly started hot talk and abuse for burning *Diya* between Ashok Singh, Raj Kishore Singh, Randhir Singh, Ramsuchit Singh and the wife of informant. On hearing hulla, informant's brother, namely, Sunil Prasad came to save his Bhabhi then Mintu Kumar, Ram Bilash Singh and



Kanchan Kapoor came armed with country made rifle and pistol and opened fire with intention to kill. In the meantime, Kanchan Kapoor told to her husband Randhir Singh to shoot then Randhir Singh opened fire to his rifle which hit his thigh of right leg for which he fell down there. Villagers came there then accused persons fled away. Informant's brother Sunil Prasad was taken to P.H.C. Nagar Nausa for treatment from where he was referred to P.C.C.H./N.M.C.H. for better treatment. During the course of quarrel, accused snatched golden chain from the neck of informant's wife namely, Rania Devi.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hand.

On behalf of the learned counsels for the State and informant, it has been submitted that the petitioners are named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Hilsa, Nalanda, in connection with Nagarnausa P.S. Case No. 140 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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