

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15892 of 2019

Arising Out of PS. Case No.-362 Year-2018 Thana- VAISHALI District- Vaishali

1. LAKSHMAN SINGH, aged about 77 years, Male,
2. Sita Ram Singh @ Sita Ram Prasad Singh, aged about 75 years, Male, both sons of Late Bhagya Narayan Singh
3. Bipin Kumar @ Bipin Kumar Singh, aged about 52 years, Male, Son of Sita Ram Singh
4. Narendra Kumar @ Narendra Kumar Singh, aged about 23 years, Male, Son of Bipin Kumar Singh
5. Chandan Kumar @ Chandan Kumar Singh, aged about 28 years, Male, Son of Late Subodh Kumar Singh, All resident of Village and P.O.- Jarang Rampur, P.S.- Vaishali, Belsar O.P. , District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 22-05-2019 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in connection with Vaishali (Belsar O.P.) P.S. Case No. 362 of 2018 registered for the offence punishable under section 307 and other allied sections of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that petitioners have been falsely implicated in this case due to previous enmity. There is admitted land dispute between the parties. As a matter of fact a Partition Suit bearing No. 125 of 2017 is also pending between the parties. Moreover, the injuries



sustained have been found to be simple in nature. Petitioners are men of clean antecedent.

Learned Addl. P.P. appearing for the State submits that there is specific allegation of assault against petitioner nos. 3, 4 and 5 and the same is supported by the injury report. It is, therefore, submitted that they does not deserve to be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner nos. 1 and 2, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No. 362 of 2018 subject to the conditions laid down under section 438(2) Cr.P.C.

As regards petitioner nos. 3, 4 and 5, considering the nature of allegations levelled against them which is supported by the injury report, this Court is not inclined to grant them the privilege of anticipatory bail. Their prayer for bail is, therefore, rejected.

(Arvind Srivastava, J)

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