

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30426 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- FESHAR District- Aurangabad

1. RUPESH KUMAR SINGH Son of Late Satyendra Singh Resident of village- soharaiya, P.S. Fesar, District- Aurangabad.
2. Rintu Kumar Singh Son of Late Satyendra Singh Resident of village- soharaiya, P.S. Fesar, District- Aurangabad.
3. Pradip Kumar Singh @ Pradip Kumar Son of Rupesh Kumar Singh Resident of village- soharaiya, P.S. Fesar, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Fesar P.S. Case No. 21 of 2019, registered for the offences punishable under Sections 341, 323, 325, 307, 34 of the Indian Penal Code.

Petitioners are said to have assaulted on the head of the informant and his son by means of sword, Gandasa, Khanti and iron rod inflicting injuries to them on the exhortation of Rupes Kumar Singh over the felling of bamboo and Rupesh Kumar Singh and Ritu Singh assaulted informant by means of



rod.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have no concern with the aforesaid occurrence. They have been falsely implicated in this case over the land dispute. Proceeding under Section 107 Cr.P.C. is pending between the parties. Both the parties claim their right, tile over bamboo clump. The injury sustained by the informant and his son are simple in nature. Petitioners have no criminal antecedent.

On the other hand, learned A.P.P and learned counsel for the informant vehemently opposed the bail petition of the petitioners and submitted that there is specific allegation of assault on the head of the informant by the petitioner Rupes Kumar Singh by means of iron rod inflicting injuries to him and doctor also found injury on the head of the informant as simple in nature, hence petitioner Rupes Kumar Singh does not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of the learned
Chief Judicial Magistrate, Aurangabad, in connection with Fesar
P.S. Case No.21 of 2019, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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