

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35303 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- TIKAPATTI District- Purnia

1. PINKU SINGH Son of Khokha Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
2. Chhote Lal Singh Son of Rajendra Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
3. Rohit Singh Son of Late Parsuram Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
4. Matru Singh Son of Late Bilash Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
5. Niraj Mandal @ Niraj Kumar Son of Charitar Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
6. Mantu Singh Son of Late Bilash Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
7. Chhathu Singh Son of Ramnand Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
8. Ramanand Singh Son of Late Faudari Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
9. Khokha Singh Son of Rajendra Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
10. Munna Singh Son of Rohit Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
11. Suresh Singh Son of Late Jailal Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
12. Abhishek Kumar Son of Mantu Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
13. Rajesh Mandal Son of Daso Mandal Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
14. Mukesh Mandal @ Mangan Son of Daso Mandal Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
15. Nityanand Yadav Son of Jhabbu Yadav Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
16. Bhakul Singh Son of Suresh Singh Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
17. Subodh Kumar Son of Sidin Mandal Resident of Village - Sapaha, P.S.- Tikapatti, Distt - Purnea.
18. English Singh Son of Tejbahadur Singh Resident of Village - Khopariya, P.S.- Chausa, Distt - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar



... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners have preferred this application for anticipatory bail apprehending their arrest in connection with Tikapatti P.S. Case No. 21 of 2019, registered for the offence under Sections 302, 120-B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation as per the FIR lodged by Sita Devi, wife of deceased is that on hearing hulla, she reached near the place of occurrence and saw the accused persons, including the petitioners, present there. It is further alleged that co-accused Pawan Singh and Pahari Singh fired at her husband, which hit him, as a result of which he died on spot.

It is submitted by learned counsel for the petitioners that allegations made in the FIR are false. It is further submitted that specific allegation of firing as per the FIR, is against co-accused Pawan Singh and Pahari Singh, who are not the petitioners in this application. Petitioners are not having



criminal antecedent.

Learned APP for the State has submitted that even though the specific allegation of firing is against co-accused Pawan Singh and Pahari Singh, however, the petitioners were also present at spot

Having heard the parties and taking into consideration that specific allegation of firing is against co-accused Pawan Singh and Pahari Singh and not against the petitioners, in view of the facts and circumstances stated hereinabove, the above named petitioners are directed to surrender in the court below within a period of six weeks from today and in the event of their arrest or surrender, they shall be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Purnea in connection with Tikapatti P.S. Case No. 21 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C

(Partha Sarthy, J)

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