

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76056 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- TARABARI District- Araria

1. Dukhi Singh and Ors son of Late Sohail Singh
2. Prem Kumar Singh @ Pream Kumar Singh, son of Dukhi Singh
3. Umesh Kumar Singh @ Umesh Kumar, son of Dukhi Singh,
All Resident of Village- Tegachhiya Ward No. 9, P.S. Tarabari,
District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Sri Nand Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

8 06-08-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Tarabari P.S. Case No.68 of 2018, for the offence punishable
under Sections 147, 148, 149, 341, 323, 324, 326, 307, 379,
504, 506 of the Indian Penal Code.

At the very outset, learned counsel appearing for the
petitioners seeks permission to withdraw this application filed
on behalf of petitioner No.2, namely, Prem Kumar Singh@
Pream Kumar Singh. Permission is granted. Accordingly, this
application is dismissed, as against petitioner No.2.

Insofar as the allegation against petitioner No.1 and 3



is concerned, it has been alleged in the First Information Report is that petitioner No.1 has assaulted wife of the informant, Meera Devi with arrow which caused injury to her. Allegation against petitioner No.3 is that he assaulted Gopi Singh by means of sword near neck causing injury.

Learned counsel for the petitioners submits that injury caused to Meera Devi by petitioner No.1 is simple in nature as per the injury report mentioned in the case diary. Learned counsel further submits that so far as injury caused to Gopi Singh by petitioner No.3 is concerned, it has been submitted that no injury has been found on Gopi Singh in investigation done by the police.

On the other hand, learned counsel for the informant submits that there is grievous injury to Mangal Singh caused by petitioner No.2 and insofar as petitioner No.1 and 3 are concerned, learned counsel agrees that injuries are simple in nature and altogether 5 persons received injury due to the assault made by the side of the petitioners.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that injury caused by petitioner No.1 is simple in nature and no injury has been found due to the



assault made by petitioner No.3 and further that parties belong to the same village having a land dispute, as such, I am inclined to grant anticipatory bail to the petitioner No.1 and 3.

Accordingly, petitioner No.1, namely, Dukhi Singh and petitioner No.3, namely, Umesh Kumar Singh @ Umesh Kumar, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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