

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52683 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- NTPC KHAIRA District- Aurangabad

1. SURESH SINGH Son of Late Narsingh Singh Resident of village- Gamhariya, P.S.- N.T.P.C. Khaira, District- Aurangabad.
2. Pravesh Singh Son of Late Narsingh Singh Resident of village- Gamhariya, P.S.- N.T.P.C. Khaira, District- Aurangabad.
3. Kalendra Singh Son of Rampravesh Singh Resident of village- Gamhariya, P.S.- N.T.P.C. Khaira, District- Aurangabad.
4. Manu Singh @ Mannu Singh Son of Rampravesh Singh Resident of village- Gamhariya, P.S.- N.T.P.C. Khaira, District- Aurangabad.
5. Pintu Singh @ Amrendra Kumar Son of Rampravesh singh Resident of village- Gamhariya, P.S.- N.T.P.C. Khaira, District- Aurangabad.
6. Manish Singh Son of Naresh Singh Resident of village- Gamhariya, P.S.- N.T.P.C. Khaira, 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.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-08-2019 Heard both sides.

The petitioners apprehend their arrest in NT.P.C. Khaira P.S. case No. 39 of 2019 registered under Section 147, 148, 149, 341, 323, 324, 325, 326, 307, 506, 337, 338, 379 of the IPC.

The informant named nine persons including the six petitioners and alleged that they all, having armed with different weapons, such as, sword, axe, Lathi, spear and pistol, came and



assaulted the informant his brother and other family members. On the order of Pravesh Singh, petitioner No.2, Pintu Singh, petitioner No.5, and others assaulted the informant and his family members. They also pelted stones.

The learned counsel for the petitioners submits that the occurrence took place due to flow of drainage of water and on account of land dispute. The informant made allegation that petitioners indiscriminately assaulted the informant, his brother and other family members but only informant and Dinesh Singh got injuries. From the injury report it would appear that Awadhesh Singh, the informant, got one lacerated wound on the forehead and the injury is superficial and simple in nature. Similarly, Dinesh Singh, also got one lacerated wound on his forehead and the injury is simple in nature. No indiscriminate assault was made. In fact some scuffle took place between two sides for flow of drainage of water and the informant and his brother got scratch. No specific allegation of assault is made against the petitioners.

It appears that some scuffle took place between two sides in which informant and his brother got scratch on forehead but the injuries are simple in nature.

Considering the facts aforesaid and nature of



allegation made against the petitioners, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with NT.P.C. Khaira P.S. case No. 39 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

