

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53380 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- NTPC KHAIRA District- Aurangabad

1. KAPILDEO SINGH @ KAPIL SINGH Son of Late Rajdeo Singh Resident of Village- Gamhariya, P.S.- N.T.P.C.- Khaira, District- Aurangabad.
2. Pappu Singh Son of Yugal Singh Resident of Village- Gamhariya, P.S.- N.T.P.C.- Khaira, District- Aurangabad.
3. Shankar Singh Son of Late Chandar Singh Resident of Village- Gamhariya, P.S.- N.T.P.C.- Khaira, District- Aurangabad.
4. Sundar Singh Son of Late Prasad Singh Resident of Village- Gamhariya, P.S.- N.T.P.C.- Khaira, District- Aurangabad.
5. Abhay Singh Son of Sundar Singh Resident of Village- Gamhariya, P.S.- N.T.P.C.- Khaira, District- Aurangabad.
6. Dhiraj Singh Son of Shankar Singh Resident of Village- Gamhariya, P.S.- N.T.P.C.- Khaira, District- Aurangabad.
7. Ramesh Singh Son of Late Bigan Singh Resident of Village- Gamhariya, P.S.- N.T.P.C.- Khaira, District- Aurangabad.
8. Nirbhay Singh Son of Sundar Singh Resident of Village- Gamhariya, P.S.- N.T.P.C.- Khaira, District- Aurangabad.
9. Dharmendra Singh Son of Yugal 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.Anirudh Kumar Verma
For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of N.T.P.C. Khaira Police Station Case No. 38 of 2019,
disclosing offences under Sections 147, 148, 149, 323, 324, 325,



326, 504, 307, 447, 448, 341, 336, 337 and 338 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners, along with others, armed with traditional weapons, came to the house of the informant and started assaulting the uncle of the informant and other family members due to the previous dispute, which has arisen in the tilak ceremony of the son of the informant's uncle on 04.06.2019.

Learned Counsel for the petitioners submits that both the parties are co-villagers and neighbours. He further submits that there is case and counter case inasmuch as N.T.P.C. Khaira Police Station Case No. 39 of 2019 has been filed by the side of the petitioners and the family members of the petitioners have also received injuries in the free fight between the parties. He, relying on Annexure-3, which is the injury report of the injured, submits that the injuries caused to all the persons are simple in nature.

After having heard learned Counsel for the parties and taking into consideration the fact that both the parties belong to the same village and there is case and counter case and further injuries caused to all the injured are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.



Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with N.T.P.C. Khaira Police Station Case No. 38 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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