

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54755 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- MUFFASIL District- Aurangabad

1. SHASHIKANT @ MINKU KUMAR SINGH @ SHASHIKANT SINGH @ MINKU S/o Maharaja Singh R/O Village Kunda, P.S. Aurangabad (Muffasil), District- Aurangabad.
2. Manikant Singh @ Rinku S/O of Maharaja Singh R/O Village Kunda, P.S. Aurangabad (Muffasil), District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Aurangabad (Muffasil) P.S. Case No.138 of 2019 registered under Sections 147, 148, 149, 323, 379, 307, 354, 341, 504 and 506 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Aurangabad.

The accusation is that in the evening of 18.06.2019, when the informant Nirmala Devi was sitting at her door and her elder brother-in-law Rampravesh Singh was lying on a cot, at that time, the petitioners along with 10-12 others having lathi, danda and sword in their hand came there and started to cause



assault to her elder brother-in-law with an intention to kill. When the informant rushed to save her elder brother-in-law, then the petitioner no.2 started to cause assault on his head through lathi. In that course, the informant also sustained injury on her left hand. At that time, the petitioner no.1 caused assault on the head of the elder brother-in-law of the informant through rod, due to which he became injured and fell down on the ground. Thereafter, all started to cause assault to them. On raising alarm by the informant, when her husband Ajay Singh rushed, then the petitioner no.2 caught hold of him and on his order, the petitioner no.1 caused injury on his head through Gadasa. Thereafter, Akshay Singh, the father-in-law of the petitioner no.1, and Vijay Singh started to commit "Maar-Peet" with them and 10-12 persons, who were with them, also started to cause assault to them. In course of occurrence, the petitioner no.1 took Rs.1,00,000/- from the box of the informant, whereas petitioner no.2 snatched the gold chain from the neck of the informant.

Learned counsel appearing on behalf of the petitioners submits that all the injuries, as found on the person of the husband and elder brother-in-law of the informant, are simple in nature except the injury no.4 of Ajay Singh, the husband of the



informant, and the injury no.6 of Rampravesh Singh, the elder brother-in-law of the informant, which are said to be grievous in nature.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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