

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58208 of 2019

Arising Out of PS. Case No.-216 Year-2019 Thana- NAUBATPUR District- Patna

1. BAIJNATH SINGH @ BAIDHNATH SINGH S/O- Late Mithila Singh R/O- Village- Babupur, P.S.- Naubatpur, District- Patna.
2. Satish Singh @ Satish Kumar S/o- Suresh Singh R/O- Village- Babupur, P.S.- Naubatpur, District- Patna.
3. Suresh Singh S/o- Late Mithila Singh R/O- Village- Babupur, P.S.- Naubatpur, District- Patna.
4. Randhir Singh @ Randhir Kumar S/O- Suresh Singh R/O- Village- Babupur, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh
For the Opposite Party/s : Mr.Kanhaiya Kishore (App)

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-11-2019 Petitioners seek bail in anticipation of their arrest in connection with Naubatpur P.S. Case No. 216 of 2019, registered for the offences punishable under Sections 447, 341, 323, 337, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per F.I.R. petitioners came to the Darwaja of the informant and petitioner no. 3 caught hold the son of the informant and petitioner No. 2 assaulted him by means of Gandasa on his head and when Pintu Singh came to save him petitioner No. 1 assaulted him by brick as a result of which his



two teeth were broken. Allegation against petitioner No. 4 is that he made firing.

Submission of the learned counsel for the petitioners is that as a matter of fact, petitioners are labourer of the Sugandh Singh and there is land dispute between the informant and Sugandh Singh. There is case and counter case between the parties and the informant has lodged this case against the petitioners and other to save skin from the said case.

Learned A.P.P. for the State has opposed the prayer of bail and submitted that injuries report are not available on the record. However, it is admitted that F.I.R does not disclose any injury to the injured.

Having heard both sides. So far as petitioner no.2 is concerned, in view of the allegation, I am not inclined to grant privilege of anticipatory bail to him, however, he is directed to surrender before the learned Court below and make prayer for regular bail and Court below will consider the matter on its own merit without being prejudiced by order of this court.

So far as petitioner No. 1, 3 and 4 is concerned, considering the above submission, let the petitioner No. 1, 3, and 4 above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) each with two sureties of the like amount to the satisfaction of the learned A.C.J.M., IInd, Danapur in connection with Naubatpur P.S. Case No. 216 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned.

With the aforesaid condition this application stands disposed of.

(Vinod Kumar Sinha, J)

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