

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57094 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- OBRA District- Aurangabad

1. BRIJKISHORE SINGH Son of Late Ramadhar Singh Resident of Village - Dihra, P.S.- Obra, Dist.- Aurangabad.
2. Awadh Kishore Singh Son of Late Ramadhar Singh Resident of Village - Dihra, P.S.- Obra, Dist.- Aurangabad.
3. Anu Devi W/o Brijkishore Singh Resident of Village - Dihra, P.S.- Obra, Dist.- Aurangabad.
4. Khushboo Devi W/o Awadh Kishore Singh Resident of Village - Dihra, P.S.- Obra, Dist.- 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.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Obra P.S. Case No.178 of 2019 registered under Sections 147, 149, 341, 324, 323, 379, 307, 504 and 506 of the Indian Penal Code.

The accusation is that on 01.07.2019 at about 07.00 P.M. when the informant was present at his house, at that time, the petitioners along with one Abhimanyu Singh variously armed with weapons came there and started to abuse. When the informant made protest, then Abhimanyu Singh gave Gadasa blow at his head, due to which he sustained cut injury on his head. Thereafter, Brij Kishore



Singh (petitioner no.1) caused injury through Khanti at the different parts of the body of the informant. At that time, Awadh Kishore Singh (petitioner no.2) snatched the gold chain from the neck of the informant, whereas Anu Devi (petitioner no.3) and Khushboo Devi (petitioner no.4) caused assault to the wife of the informant through lathi due to which she sustained fracture injury in the fingers of her right and left hand and, thereafter, the petitioner no.4 snatched the gold chain from the neck of the wife of the informant.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that there is specific allegation against Abhimanyu Singh to cause injury on the head of the informant through Gadasa and the petitioner no.1 to cause injury at the different parts of the body of the informant through Khanti with the further allegation against the petitioner no.2 to snatch the gold chain from the neck of the informant and the petitioner nos.3 and 4 to cause fracture injury in the fingers of the left and right hand of the wife of the informant through lathi with further allegation against the petitioner no.4 to snatch the gold chain from the neck of the wife of the informant.

Having considered the facts and the circumstances of the case, let the petitioner nos.2, 3 and 4, above named, in the event of their arrest or surrender by them within six weeks from today, 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 the Sub Divisional Judicial Magistrate, Daudnagar, in the district of Aurangabad, in connection with Obra P.S. Case No.178 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

So far as the petitioner no.1, namely, Brij Kishore Singh, is concerned, taking into consideration the nature of allegation against him, I am not inclined to grant the privilege of pre-arrest bail to the petitioner no.1. Accordingly, the prayer of the petitioner no.1, namely, Brij Kishore Singh, for grant of privilege of pre-arrest bail stands rejected. However, the petitioner no.1, namely, Brij Kishore Singh, is 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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