

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60075 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- SURYAPUR District- Rohtas

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1. SHAMBHU SINGH Son of Late Ram Prikha Singh
 2. Sonu Kumar @ Somdeo
 3. Rajnish Kumar, Both are Son of Shambhu Singh
- All are Resident of Village - Bharkuriya, P.S.- Surajpura, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr. B.N.Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 14-10-2019 Heard both sides.

The petitioners apprehend their arrest in Surajpura P.S. Case No.34 of 2019 registered under Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

The informant alleged that on 01.03.2019 about 7 in the evening, Shambhu Singh(petitioner No.1) came to his darwaza and began to abuse due to previous enmity. When Srikant Kumar, son of the informant asked him not to abuse, Shambhu Singh assaulted him with lathi on his head. When Mahesh Kumar, the younger son of the informant came, Sonu Kumar @ Somdeo, son of Shambhu Singh assaulted him with



iron rod on his head and snatched gold chain from his neck. Rajnish Kumar, another son of Shambhu Singh also assaulted the son of the informant.

The learned counsel for the petitioners submits that there is a case and counter case. From the side of the petitioner, Surajpura P.S. Case No.29 of 2019 was registered on 02.03.2019 but the present case was lodged on 05.03.2019 for the occurrence took place on 01.03.2019. Both the sons of the informant namely, Srikant and Mahesh received lacerated wounds which are simple in nature.

Taking into consideration the fact that there is a case and counter case and prior to institution of the present case, Surajpura P.S. Case No.29 of 2019 was registered from the side of the petitioners and there appears that both sides were engaged in mutual assault with each other in which both the sons of the informant received simple injuries, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Bikramganj, Rohtas in connection



with Surajpura P.S. Case No.34 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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