

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62053 of 2019

Arising Out of PS. Case No.-149 Year-2019 Thana- ARA MUFFSIL District- Bhojpur

1. BAIJNATH SINGH Son of Late Ram Govind Singh Resident of Village - Maniram Ke Tola, P.S.- Ara (M), (Dhobahan O.P.), Dist.- Bhojpur.
2. Manoj Singh @ Teju Singh Son of Late Rameshwar Singh Resident of Village - Maniram Ke Tola, P.S.- Ara (M), (Dhobahan O.P.), Dist.- Bhojpur.
3. Harendra Singh Son of Late Ramdeo Singh Resident of Village - Maniram Ke Tola, P.S.- Ara (M), (Dhobahan O.P.), Dist.- Bhojpur.
4. Rahul Singh Son of Harendra Singh Resident of Village - Maniram Ke Tola, P.S.- Ara (M), (Dhobahan O.P.), Dist.- Bhojpur.
5. Anku Singh Son of Harendra Singh Resident of Village - Maniram Ke Tola, P.S.- Ara (M), (Dhobahan O.P.), Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-11-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Ara Mufassil PS Case No.149/19 , registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 504, 354(B), 307 of the Indian Penal Code.

As per FIR, there is allegation against the petitioners that when the informant reached near the Kali Temple, petitioners who were sitting on the *Chabutra* of the temple , began taunting her and on protest, it is said that they caught hold her



hand and tried to drag her but on raising alarm, her son Manoj Yadav, nephew Jitendra Yadav and Binod Kumr Yadav came to save her, but rest of the accused persons came and caught hold her son, cousin and nephew . So far these petitioners are concerned, there is allegation against the petitioner nos.1 and 2 that they have assaulted by *rod* on the nephew of the informant on head causing injuries and thereafter all the accused persons assaulted.

Submission of the learned counsel for the petitioners is that there is case and counter case between the parties and no specific allegation has been attributed against any of them .

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that there is allegation against the petitioner nos. 1 and 2 of assault by *rod* on the head of the nephew of the informant.

Having heard both sides. So far petitioner nos. 1 and 2, above named are concerned, I am not inclined to grant privilege of bail to them, however, they have to surrender before the learned court below and pray for regular bail.

So far petitioner nos. 3 to 5, above named, are concerned, in the event of arrest or surrender before the



learned court below, they will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Ara in connection with Mufassil P.S.Case No.149 of 2019 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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