

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69019 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- ISUAPUR District- Saran

-
1. NIRANJAN SINGH @ NIRANJAN KUMAR SINGH @ DABLU Son of Rajendra Singh, Resident of Village-Goha, P.S-Ishuapur, District-Saran at Chapra.
 2. Om Prakash Singh @ Bablu Son of Rajendra Singh, Resident of Village-Goha, P.S-Ishuapur, District-Saran at Chapra.
 3. Anoj Kumar Singh @ Anuj Singh @ Anuj Kumar Singh Son of Jairam Singh, Resident of Village-Goha, P.S-Ishuapur, District-Saran at Chapra.
 4. Anshuman Kumar Singh @ Anshuman Kumar @ Anshu Singh @ Anshu Kumar Son of Jairam Singh, Resident of Village-Goha, P.S-Ishuapur, District-Saran at Chapra.
 5. Baliram Singh Son of Late Manager Singh, Resident of Village-Goha, P.S-Ishuapur, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-12-2019 Heard both sides.

Petitioners apprehend their arrest in Ishuapur P.S.

Case No.23 of 2019 registered under Sections 147, 148, 149, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code and under section 27 of the Arms Act.

The informant named the petitioners and alleged that when the informant was sitting at the door of Pappu Singh, all the accused persons having armed with different weapons came to the door of Pappu Singh and began to abuse the informant.



The informant further alleged that Niranjana Singh (petitioner no.1) assaulted him with daab on his head. Omprakash Singh (petitioner no.2) assaulted the informant with farsa on his head. The informant fell down on the ground. Anuj Kumar Singh took out Rs.1500/- from the pocket of the informant. When Pappu Singh and Dheeraj Singh came to save, Anshuman Kumar Singh @ Anshu Singh (petitioner no.4) assaulted Pappu Singh with iron rod on his head. Anuj Singh (petitioner no.3) assaulted Pappu Singh with daab on his leg. Baliram Singh (petitioner no.5) assaulted Dheeraj Singh with iron rod. Anshu Singh (petitioner no.4) again assaulted Dheeraj Singh with knife which caused injury on his right hand. Anshuman Singh is said to have fired and fled away.

Learned counsel for the petitioners submits that there is a counter case being Ishuapur P.S. Case No.22 of 2019. Petitioner no.1, Niranjana Singh is the informant of the case. Niranjana Singh made allegation that the accused persons having armed with sword and other weapons came and Pappu Singh assaulted his brother Omprakash Singh with sword on his head. Dheeraj Singh assaulted Omprakash Singh with daab on his head. In the meantime, Ujjwal Kumar came with katta and fired two rounds but his brother saved himself by falling on the



ground. Munna Singh assaulted Anuj Singh with dagger on his abdomen. Amrish Kumar assaulted Anuj Kumar with farsa. Prince Kumar fired which hit on the neck of his nephew.

Learned counsel for the petitioners further submits that both sides appear to have assaulted each other on the ground of land dispute.

From perusal of Annexure 5 series, it would appear that Omprakash Singh got one sharp cut injury on his head. Anuj Kumar Singh got two injuries out of which one injury is stab injury, but it appears from perusal of the F.I.R. along with the case diary and the injury report that Niranjana Singh and Omprakash Singh are alleged to have assaulted the informant Munna Singh with daab and farsa. Two sharp cut injuries are found on the head of Munna Singh and the injuries are grievous in nature. Anshuman Kumar @ Anshu Singh (petitioner no.4) assaulted Pappu Singh with iron rod and Anuj Singh (petitioner no.3) is alleged to have assaulted Pappu Singh with daab and Pappu Singh also got injuries on leg and head. Baliram Singh assaulted Dheeraj Singh with iron rod and Anshu Singh (petitioner no.4) stabbed Dheeraj Singh on his right hand. The injury report shows the corresponding injuries on the persons of three injured. Out of which, Munna Singh, Pappu Singh got



grievous injuries.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Harish/-

U		T	
---	--	---	--

