

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3974 of 2020

Arising Out of PS. Case No.-52 Year-2018 Thana- CHAUSA District- Madhepura

1. Nikhil Singh @ Nikhil Kumar Singh Son of Devanand Singh Resident of Village- Laualagan, P.S. - Chausa, District- Madhepura.
2. Karun Singh @ Karun Kumar Singh Son of Lal Bahadur Singh Resident of Village- Laualagan, P.S. - Chausa, District- Madhepura.
3. Iji Singh @ Prasanjit Singh @ Prasanjit Singh Son of Birendra Singh Resident of Village- Laualagan, P.S. - Chausa, District- Madhepura.
4. Lalbahadur Singh son of Late Kamleshwari Singh Resident of Village- Laualagan, P.S. - Chausa, District- Madhepura.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party : Mr.Shantanu Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2020 Heard learned counsel for the parties.

Petitioners are accused in a case registered for the offence punishable under sections 307/34 of the Indian Penal Code.

It is said that the petitioners and other miscreants took away some wooden log from the orchard of the informant for which Panchayati was done. Thereafter, they, armed with lathi, danda etc, came to the house of the informant and assaulted him and his family members. They also took away Rs.50,000/- and some ornaments from the house of the informant.

Learned counsel for the petitioners submits that total 21 persons have been named by the informant with general and omnibus allegation due to previous land dispute and dirty village politics. Parties are close agantes and earlier petitioners's side had filed a case against the informant and only to save



skin, the instant case has been lodged. It is further submitted that as per the injury report, only Awadh Kishore Singh has got grievous injuries. Petitioners have got no criminal antecedent and they are in custody since 28.11.2019. Similarly situated co-accused have already been allowed pre-arrest bail by different benches of this Court mentioned in paragraph 13 of the bail petition.

In view of the facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let all the four petitioners, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Udakishunganj, Madhepura in Chausa Police Station Case No. 52 of 2018, on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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