

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12875 of 2020

Arising Out of PS. Case No.-277 Year-2019 Thana- MAIRWAN District- Siwan

1. MIRA DEVI W/o Sheoji Singh Resident of Village- Maidania, P.S.- Mairwa, District- Siwan, Bihar.
2. Satyendra Kumar S/o Subash Chandra Singh @ Chhotelal Singh Resident of Village- Maidania, P.S.- Mairwa, District- Siwan, Bihar.
3. Brajesh Kumar S/o Subash Chandra Singh @ Chhotelal Singh Resident of Village- Maidania, P.S.- Mairwa, District- Siwan, Bihar.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Nihar Nandan Ambasta, Advocate.
For the State	:	Mr. Jitendra Kumar Singh, A.P.P.
For the Informant	:	Mr. Prabhakar Singh, Advocate,

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 20-10-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant, through Video Conferencing.

The petitioners apprehend their arrest in connection with Mairwa P.S. Case No.277 of 2019 registered under Sections 341, 323, 324, 307 and 302/34 of the Indian Penal Code.

The accusation is that on 20.10.2019 at about 08.00 A.M., when Kamlawati Devi, the mother of the informant, was returning to her house from the field, after doing the agricultural work, in the way, Sheoji Singh, Subash Chandra Singh alias Chhotelal Singh, Mira Devi (petitioner no.1), Pawan Kumar,



Abhishek Kumar alias Pappu Kumar, Brajesh Kumar (petitioner no.3) and Satyendra Kumar (petitioner no.2), due to land dispute, surrounded the mother of the informant. At that time, Subash Chandra Singh alias Chhotelal Singh gave the spade blow at the head of the mother of the informant, whereas Sheoji Singh gave the hammer blow at her head, due to which the mother of the informant sustained blood oozing injury on her head. When the informant along with his brother, sisters and cousin sister rushed to save his mother, then they were also assaulted by them through lathi, danda and spade, due to which they also sustained injuries. Thereafter, the mother and sisters of the informant were rushed to Government Hospital, Mairwa, from where the mother of the informant was referred to Sadar Hospital, Siwan, where she was declared dead by the doctor.

Learned counsel for the petitioners submits that with an ulterior motive, the petitioners have falsely been implicated in this case due to land dispute. Moreover, the petitioners are not the assailant of deceased and the injuries, as found on the person of sisters of the informant are swelling. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, 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 Additional Chief Judicial Magistrate-VII, Siwan, in connection with Mairwa P.S. Case No.277 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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