

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15708 of 2020

Arising Out of PS. Case No.-59 Year-2020 Thana- MASHRAK District- Saran

1. Kaushal @ Sahabu, Son of Manindra Singh, Resident of Village - Babu Ke Chhapiya, P.S.- Mashrakh, Dist.- Saran.
2. Krishna Kant Singh, Son of Late Dharmnath Singh, Resident of Village - Babu Ke Chhapiya, P.S.- Mashrakh, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-05-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners are accused in connection with Mashrakh P.S. Case No. 59 of 2020, registered under Sections 147, 148, 149, 341, 323, 427, 379, 354(B), 504 and 506 of the Indian Penal Code, Section 37(C) of the Bihar Excise Act and Sections 25(1-b)A, 26 and 27 of the Arms Act.

The accusation is that on receiving secret information about selling of liquor in the village of the informant, Chotu Kumar Singh, the police personnel reached there and after raid, they moved from there. Thereafter petitioners along with Tuntun Singh and Kishan Kumar, in



drunken state, came at the house of the informant and stated to abuse him and damaged his car. When sister-in-law (Bhabhi) of the informant came to save him then she was assaulted by them. In the meantime, Tunna Singh snatched the gold chain from the neck of his sister-in-law(Bhabhi). Thereafter, information was given to the police, on which, police came there then they succeeded to flee away. Thereafter, aforesaid persons along with three unknown including the petitioners armed with weapons came at the door of the informant and started firing due to fear, informant and his family members entered in the house then they took three motorcycles from the house of the informant and in that course, one country made pistol and one live cartridge fell down on the ground, which was handed over to the police.

Learned counsel for the petitioners submits that petitioners and the informant are Patidar and due to land dispute the present case has been lodged with false allegation. Further submission is that petitioners are in custody since 03.02.2020.

Having regard to the facts and the circumstances of the case, the petitioners above named, are directed to be released on bail on furnishing bail bond of Rs.5,000/-(Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the 2nd Additional Sessions Judge-cum-Special



Judge, Excise at Saran, in connection with Mashrakh P.S. Case
No. 59 of 2020. Out of two sureties, one surety must be the
close relative of the petitioners.

(Rajendra Kumar Mishra, J)

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