

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24898 of 2020

Arising Out of PS. Case No.-331 Year-2019 Thana- MAIRWAN District- Siwan

1. PARSHURAM SINGH Son of Late Kapildeo Singh Resident of Village- Domdih, Police Station- Mairwa, District- Siwan.
2. Paras Singh @ Paras Nath Rai @ Paras Nath Singh Son of Late Kapildeo Singh Resident of Village- Domdih, Police Station- Mairwa, District- Siwan.
3. Ramesh Singh Son of Late Kapildeo Singh Resident of Village- Domdih, Police Station- Mairwa, District- Siwan.
4. Umesh Singh Son of Late Kapildeo Singh Resident of Village- Domdih, Police Station- Mairwa, District- Siwan.
5. Shiwam Kumar @ Kumar Shivam Singh Son of Umesh Singh Resident of Village- Domdih, Police Station- Mairwa, District- Siwan.
6. Shubham Kumar @ Shubham Singh Son of Parshuram Singh Resident of Village- Domdih, Police Station- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-10-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned



APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 308/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation is that the accused persons including the petitioners assaulted the informant by means of lathi, danda and Umesh Singh fired from his rifle which hit the informant's head, due to which he fell down unconscious. Thereafter he was taken to the Hospital for treatment.

It has been submitted on behalf of the petitioners that the petitioners No.1, 2, 3, 5 and 6 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender



before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VII, Siwan in connection with Mairwa P.S. case No.331 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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