

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42891 of 2021

Arising Out of PS. Case No.-133 Year-2021 Thana- MANSI District- Khagaria

1. Pinku Singh, Son of Malik Singh, Resident of Village - Chaidha Bandh, P.O.- Thatha, P.S.- Mansi, District - Khagaria.
2. Chhotu Singh, Son of Malik Singh, Resident of Village - Chaidha Bandh, P.O.- Thatha, P.S.- Mansi, District - Khagaria.
3. Jyotish Kumar Singh, Son of Malik Singh, Resident of Village - Chaidha Bandh, P.O.- Thatha, P.S.- Mansi, District - Khagaria.
4. Malik Singh, Son of Govardhan Singh, Resident of Village - Chaidha Bandh, P.O.- Thatha, P.S.- Mansi, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-08-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Learned counsel for the petitioners seeks permission to withdraw this application as petitioner no.1, Pinku Singh, has been arrested by the police.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn with respect to petitioner no.1, Pinku Singh.

Heard learned counsel for the petitioner nos. 2, 3 and



4, namely, Chhotu Singh, Jyotish Kumar Singh and Malik Singh and the learned A.P.P. for the State through Video Conferencing.

The petitioner nos. 2, 3 and 4 apprehend their arrest in connection with Mansi P.S. Case No. 133 of 2021, registered under Sections 341, 323, 307, 354A, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that on 27.04.2021, at about 5 P.M., all petitioners along with 5 to 6 unknown variously armed with weapons entered in the house of informant, Manju Devi and started to abuse and destructed the household articles. When the informant made protest then on the order of Malik Singh (petitioner no.4), Pinku Singh (petitioner no.1), Chhotu Singh (petitioner no.2) and Jyotish Kumar Singh (petitioner no.3) and others started to cause injury to her through lathi, danda and iron rod. When her daughter Luchi Kumari and daughter-in-law Sanju Devi and Gotani Rinju Devi came to save her then Pinku Singh (petitioner no. 1) gave iron rod blow to her daughter Luchi Kumari causing injury at her head and Chotu Singh (petitioner no. 2) tore her cloths. Thereafter, Chhotu Singh (petitioner no.2) and Jyotish Kumar Singh (petitioner no.3) caused injury to her and Malik Singh (petitioner no. 4) caused injury to her Gotani, Rinku Devi. At that time, Pinku Singh (petitioner no.1) snatched her earring and Chhotu Singh (petitioner no.2) also snatched the gold chain from her daughter-in-law. The cause of occurrence is said to be land dispute.



Learned counsel for the petitioner nos. 2, 3 and 4, namely, Chhotu Singh, Jyotish Kumar Singh and Malik Singh submits that due to land dispute, scuffle took place, in which, informant, Sanju Deiv and Luchi Kumari sustained injury, which are simple in nature, which would appear from annexure 3 series of the petition.

Having regard to the facts and circumstances of the case, let the petitioner nos. 2, 3 and 4, namely, Chhotu Singh, Jyotish Kumar Singh and Malik Singh, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, in connection with Mansi P.S. Case No. 133 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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