

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34085 of 2020

Arising Out of PS. Case No.-126 Year-2020 Thana- GHORASAHAN District- East
Champaran

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1. GULSHAN KUMAR SINGH son of Suman Kumar Singh Resident of Village Bhelwa, P.S.- Ghorasahan, District- East Champaran
 2. Raghaw Sharan Singh son of Late Lochan Singh Resident of Village- Bhelwa, P.S.- Ghorasahan, District- East Champaran
 3. Nawal Singh son of Ramdayal Singh Resident of Village- Bhelwa, P.S.- Ghorasahan, District- East Champaran
 4. Rahul Singh son of Anil Singh Resident of Village- Bhelwa, P.S.- Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. B. N. Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 12-04-2021 Heard both sides.

The petitioners apprehend their arrest in Ghorasahan PS case No. 126/2020 registered under Section 147, 341, 323, 326, 307, 325, 379, 504/34 of the IPC and u/s 27 of Arms Act.

Madanlal Prasad, the informant, alleged that while he was going to purchase vegetables, Suman Kumar Singh assaulted him with Farsa on his head. The informant fell down on the ground. When Dhanik Lal Rai, brother of informant, came to save Gulshan Kumar Singh, petitioner No.1, assaulted him with iron rod on his head. Sandeep Kumar, nephew of informant, was assaulted with rod causing fracture injury on his hand. Raghaw Sharan Singh, petitioner No.2, Nawal Singh, petitioner No.3, Anil Singh, Amod Singh, Pintu Singh, Ram



Milan Singh, Rahul Singh, petitioner No.4, Rajan Singh, Sanjay Singh, Ajay Singh and Guddu Singh assaulted his brother Uma Shanker Prasad Yadav with Farsa, rod, bricks and stones causing injuries on his head. The accused persons snatched chain made of gold from the neck of Uma Shanker Prasad Yadav. Gulshan Kumar Singh fired from his pistol.

The learned counsel for the petitioners submits that although there is specific allegation against Gulshan Kumar Singh that he assaulted Dhanik Lal Rai, brother of informant, with rod but Dhanik Lal Rai got simple injury on his head caused by hard and blunt object. It is further submitted that Suman Kumar Singh and seven others moved this court by filing Cr. Misc. No. 33199 of 2020 for grant of anticipatory bail and a coordinate Bench of this court vide order dated 24.02.2021 although rejected the prayer for anticipatory bail of Suman Kumar Singh but allowed the prayer of Amod Singh, Rajan Singh, Guddu Singh, Pintu Singh, Sanjay Singh, Anil Singh and Ram Milan Singh and case of petitioner No.2, Raghaw Saran Singh, 3. Nawal Singh and 4. Rahul Singh is similar to that of Amod Singh and seven others.

Taking into consideration the facts that although there is allegation against Gulshan Kumar Singh that he assaulted Dhanik Lal Rai with rod but Dhanik Lal Rai got simple and superficial injury on his head and there is general and omnibus allegation of assault against petitioners No. 2 to 4 that they assaulted Uma Shanker Prasad Yadav and Uma Shanker Prasad Yadav got as many as three injuries and two injuries on head are simple in nature and another injury on right palm is opined to be grievous in nature but there is omnibus and general allegation against many accused persons such as Amod Singh and others,



who have already been allowed anticipatory bail, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to 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 learned Sub divisional Judicial Magistrate, Sikrahna at Dhaka, East Champaran in connection with Ghorasahan P.S. case No. 126/2020, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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