

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1560 of 2021

Arising Out of PS. Case No.-342 Year-2020 Thana- SHEKHPURA District- Sheikhpura

1. SUBHASH KUMAR Son of Nawal Singh Resident of Village- Sirari, Police Station- Sheikhpura, Distt- Sheikhpura.
2. Murari Singh Son of Nawal Singh Resident of Village- Sirari, Police Station- Sheikhpura, District- Sheikhpura.
3. Mohan Kumar Son of Subhash Singh Resident of Village- Sirari, Police Station- Sheikhpura, Distt- Sheikhpura.
4. Ravish Kumar Son of Ram Vilash Singh Resident of Village- Chandinawa, P.S.- Kashichak, Distt- Nawadah.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Bipin Kumar, Advocate.
For the State	:	Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 03.01.2021, within four weeks of starting of the Court proceeding in physical mode in normal course.

At the very outset, learned counsel for the petitioners, through Video Conferencing, submits that the petitioner no.1, namely, Subhash Kumar, and the petitioner no.2, namely, Murari Singh, have already surrendered before the court below in this case and, as such, this application, in respect of the



petitioner no.1, namely, Subhash Kumar, and the petitioner no.2, namely, Murari Singh, to grant them the privilege of pre-arrest bail has become infructuous and seeks permission to withdraw this application in respect of the petitioner no.1, namely, Subhash Kumar, and the petitioner no.2, namely, Murari Singh .

Permission is accorded.

This application in respect of the petitioner no.1, namely, Subhash Kumar, and the petitioner no.2, namely, Murari Singh, is dismissed as withdrawn.

Now, only the prayer of the petitioner nos.3 and 4, above named, to grant them the privilege of pre-arrest bail is being considered, through Video Conferencing.

Heard learned counsel for the petitioner nos.3 and 4, above named, and the learned A.P.P. for the State, through Video Conferencing.

The petitioner nos.3 and 4, above named, apprehend their arrest in connection with Sheikhpura (Sirari O.P.) P.S. Case No.342 of 2020 registered under Sections 341, 323, 307, 379 and 504/34 of the Indian Penal Code.

The accusation is that in the evening of 13.08.2020, Shambhu Sharan Singh, the husband of the informant Malti Devi, was talking to Aman Kumar at the door. At that time,



Subhash Kumar, Murari Singh, Mohan Kumar (petitioner no.3) and Rituraj Kumar, the villagers of the informant, having iron rod in their hand started to abuse to the husband of the informant. At that time, on the order of Subhash Kumar, all started to cause assault at the forehead of the husband of the informant through iron rod and Ravish Kumar (petitioner no.4) snatched the gold locket from the neck of the husband of the informant. On receiving the injury, the husband of the informant fell down having become unconscious. On the alarm being raised, the villagers came there and they took the husband of the informant to Sadar Hospital, Sheikhpura.

Learned counsel for the petitioner nos.3 and 4, above named, submits that the petitioner nos.3 and 4, above named, and other F.I.R. named accused are the co-villagers of the informant and due to some dispute, the occurrence of “Maar-Peet” took place between the parties in which the side of the petitioner nos.3 and 4 also sustained injury regarding which on the basis of the fardbeyan of Nawal Prasad Singh, the father of co-accused Subhash Kumar and Murari Singh, Sheikhpura (Sirari O.P.) P.S. Case No.341 of 2020 was also instituted against the prosecution party. Moreover, the injuries as sustained by the husband of the informant are simple in nature



caused by hard and blunt substance. The petitioner nos.3 and 4 have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioner nos.3 and 4, 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 Chief Judicial Magistrate, Sheikhpura, in connection with Sheikhpura (Sirari O.P.) P.S. Case No.342 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

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