

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4790 of 2021**

Arising Out of PS. Case No.-167 Year-2020 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

VISHWANATH SINGH S/o Late Ramji Singh Resident of Village - Bochaha,
P.S. Mohiuddinagar, District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 3565 of 2021

Arising Out of PS. Case No.-167 Year-2020 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

RANVIJAY SINGH @ RANVIJAY KUMAR SINGH SON OF
VISHWANATH SINGH RESIDENT OF VILLAGE - BOCHAHA, P.S. -
MOHIUDDINAGAR, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 4790 of 2021)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 3565 of 2021)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

For the Opposite Party/s : Ms. Pushpa Sinha-1, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 24-06-2021 Heard Mr. Krishna Prasad Singh, learned senior

counsel for the petitioners in both cases, Mr. Upendra Kumar in

Cr. Misc. 4790 of 2021 and Ms. Pushpa Sinha-1, in Cr. Misc.

3565 of 2021 learned Additional Public Prosecutor appearing

for the State through video conferencing.



Petitioners seek regular bail in connection with Mohiuddin Nagar P.S. Case No. 167 of 2020 registered for the offences punishable under Sections 302, 323, 324, 341, 447, 504, 506, 147, 148 and 149 of the Indian Penal Code 1860.

The allegation as per the First Information Report is that on 17.9.2020 the accused persons armed with *lathi*, *danda*, *Bhala*, pistol etc. entered into the house of the informant and started assaulting the family members, due to which, the father of the informant received injury and subsequently died in the hospital.

Learned senior counsel for the petitioners submits that both the parties have related and are agnate. The petitioners have not committed any offence in the manner alleged. Learned counsel further submits that allegation against the petitioners are general and omnibus in nature and referring to paragraph 63 of the case diary learned counsel submits that re-statement of the informant was recorded who has specifically stated that it was co-accused Abhimanyu Singh who assaulted the father of the informant with butt of the pistol near his ribs. Learned counsel referring to Annexure-2 which is the postmortem report submits that no external injuries have been found on the person of the deceased and the Doctor has found the liver of the deceased



raptured and has given cause of death due to trauma in his abdomen and shock and haemorrhage. The petitioner is in custody since 18.9.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 18.9.2020, charge sheet has already been submitted in the matter and there was land dispute between the parties as well as they are agnate, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-IV, Samastipur, in connection with Mohiuddin Nagar P.S. Case No. 167 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

