

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2996 of 2021**

Arising Out of PS. Case No.-63 Year-2020 Thana- SHANKARPUR District- Madhepura

1. Goyal Kumar Singh @ Shantanu Raja, Male, aged about 15 years, S/o Binod Kumar Singh, R/o village- Raibhir, Ward No. 08, P.S.- Shankarpur, Madhepura.
2. Manoj Kumar Singh, Male, aged about 46 years, S/o Late Kameshwar Prasad Singh @ Kamleshwari Singh, R/o village- Raibhir, Ward No. 08, P.S.- Shankarpur, Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr. Shekhar Kumar Singh, Advocate.  
For the Opposite Party : Mr. A.G.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      13-04-2021              Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 342, 323, 324, 307, 379, 427 and 504/34 of the I.P.C.

The prosecution story, in brief, is that on 19.05.2020 at about 12.30 P.M., Buffaloes of co-accused Binod Kumar Singh grazed and damaged the turmeric crops of the informant, when he protested, co-accused Binod Kumar Singh, Kamini



Devi, Goyal Kumar Singh and Manoj Kumar Singh armed with Khanti, Kulhari and Iron rod came there and surrounded the informant, Binod Kumar Singh assaulted with Khanti on the head of the informant which stopped by him. Kamini Devi assaulted with Kulhari upon the informant, as a result of which, blood started oozing from the leg. When the informant was stopping blood, in the meantime, Binod Kumar Singh assaulted with Khanti causing head injury. He fell down on the earth. Thereafter Goyal Kumar Singh and Manoj Kumar Singh (petitioners) assaulted with Lathi and Iron rod. When his villagers Nirmal Kumar, Bechan Kumar and Mahendra Yadav came to save him, co-accused Manoj Kumar Singh took gold chain worth Rs. 55,000/- from the neck of the informant.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is case and counter case between the parties. Free fights is alleged to have taken place between the parties. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.



On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) only each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Madhepura, in connection with Shankarpur P.S. Case No. 63/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

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