

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6899 of 2021

Arising Out of PS. Case No.-451 Year-2019 Thana- PAROO District- Muzaffarpur

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1. Lallan Singh, aged about 65 years, male, Son of Late Gajadhar Singh.
 2. Ranjit Kumar @ Ranjit Singh, aged about 28 years, male, Son of Lallan Singh.
 3. Amresh Kumar @ Amresh Singh, aged about 25 years, male, Son of Lallan Singh.
 4. Chandeshwar Singh, aged about 44 years, male, Son of Late Gajadhar Singh.

All are resident of Village- Pandeh, P.S.- Paru, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Sinha No.1, Adv.
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-12-2021 Mr. Amrendra Kumar Sinha No. 1, the counsel for the petitioners seeks permission to withdraw the application of petitioner No. 4, namely, Chandeshwar Singh, who has been arrested during the pendency of this bail application.

Permission is granted.



The application with respect to petitioner No. 4 is dismissed as having become infructuous.

Heard the counsel for the parties.

The petitioner Nos. 1, 2 and 3 seek bail in anticipation of their arrest in connection with Paru P.S. Case No. 451 of 2019, dated 03.11.2019, instituted for the offences under Sections 147, 148, 323, 324, 325, 354, 448, 427, 379, 307 and 34 of the Indian Penal Code.

The accusation against all three of them is of assaulting the members of the prosecution party and also of resorting to eve-teasing the female inmates of the house.

It has been submitted on behalf of petitioner Nos. 1, 2 and 3 that though four persons are said to have been injured, but there is no specific accusation against any one of the petitioners. The injuries suffered by them are in the nature of swelling and abrasion and none of those injuries have been found on the vital portion of the body of the injured persons.

It has also been pointed out that with respect to an occurrence which took place on the same day, the son of one



of the accused persons, namely, Sachida Nand Singh had filed a case against the informant and others *vide* Paru P.S. Case No. 480 of 2019, the F.I.R. of which has been brought on record by way of Annexure – 2.

It has, therefore, been submitted that with respect to a dispute regarding encroachment of a land crossing between the houses of the petitioners and the prosecution party, an occurrence may have taken place in which both the sides may have fought against each other, but attributing the assault for the purposes of killing the injured persons is not borne out by the circumstances displayed in the prosecution case.

Regard being had to the facts afore-stated, the counter version of the occurrence, persons from the side of the petitioners also having received injuries in the occurrence for which no explanation has been given in the subject F.I.R. and the general and omnibus allegation against petitioner Nos. 1, 2 and 3, namely, Lallan Singh, Ranjit Kumar @ Ranjit Singh and Amresh Kumar @ Amresh Singh, they in the event of their arrest or surrender before the learned



Court below within a period of four weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Paru P.S. Case No. 451 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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