

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36253 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- BELDOUR District- Khagaria

1. RANJIT KUMAR S/O UMESH SINGH Resident of Village - Telihar, P.S.- Beldour, Distt.- Khagaria.
2. PANDAV SINGH @ PANDAV KUMAR S/O DEONARAYAN SINGH Resident of Village - Telihar, P.S.- Beldour, Distt.- Khagaria.
3. RATAN KUMAR S/O SHYAM SUNDAR SINGH Resident of Village - Telihar, P.S.- Beldour, Distt.- Khagaria.
4. ROUSHAN KUMAR S/O ANIL SINGH Resident of Village - Telihar, P.S.- Beldour, Distt.- Khagaria.
5. MAHESHWAR SINGH S/O LATE GULTU SINGH Resident of Village - Telihar, P.S.- Beldour, Distt.- Khagaria.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-05-2022 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner Nos. 1 & 5 namely Ranjit Kumar and Maheshwar Singh as during pendency of this application, both of them have been



taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner Nos. 1 & 5 namely Ranjit Kumar and Maheshwar Singh is dismissed as withdrawn.

The petitioner Nos. 2 to 4 are apprehending their arrest in Beldaur P.S. Case No. 124 of 2020 registered for the offence under Sections 147, 148, 341, 307, 504 and 506 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case in short is that while the informant was returning home in the evening carrying water, in the way, the accused persons ambushed with the weapon, as per orders of Maheshwar Singh, all the accused persons started assaulting him with lathi. On hearing hulla, the villagers came to rescue, then one Shyam Sundar Singh fired as a result of which, some persons sustained injuries and were taken to hospital for treatment.

It has been submitted on behalf of the petitioner Nos. 2 to 4 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos. 2 to 4. The petitioner Nos. 2 to 4 have been falsely implicated in the present case. There is case and counter



case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The case has been instituted after two days of the alleged occurrence. The nature of injury is said to be simple. Hence, no offence u/S 307 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioner Nos. 2 to 4 are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner Nos. 2 to 4, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Smt. Pallavi Anand, learned Judicial Magistrate-Ist Class, Khagaria in connection with Beldaur P.S. Case No. 124 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

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

