

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33198 of 2022

Arising Out of PS. Case No.-147 Year-2021 Thana- MORKAHI District- Khagaria

1. Pinkesh Kumar, S/O Jag Narayan Singh R/O Village- Marar Dakshin, Ward No. 07, P.S.- Morkahi, Distt.- Khagaria
2. Rikesh Kumar @ Rinkesh Kumar, S/O Jag Narayan Singh R/O Village- Marar Dakshin, Ward No. 07, P.S.- Morkahi, Distt.- Khagaria
3. Mukesh Kumar, S/O Jag Narayan Singh R/O Village- Marar Dakshin, Ward No. 07, P.S.- Morkahi, Distt.- Khagaria
4. Jag Narayan Singh @ Jag Narayan Pd. Singh, S/O Late Shivdhari Singh R/O Village- Marar Dakshin, Ward No. 07, P.S.- Morkahi, Distt.- Khagaria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-09-2022 The learned counsel for the petitioners submits that petitioner no.3, namely, Mukesh Kumar has been arrested by the police during pendency of the present case and the same is mentioned in the mentioning slip kept at Flag- 'Y'.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 307, 379, 504 and 506/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant



alleges that on 10.12.2021 at about 10.00 P.M., a Panchayati was called by Anil Singh at the doors of Azad Singh. In the Panchayati, the Panches inquired from Jag Narayan Singh about the land on which, he disclosed that informant had sold the land. It is next alleged that the informant disclosed that he had sold his share of land on which, Pinkesh Kumar son of Jag Narayan Singh ordered to kill him on which, his brother Rinkesh Kumar (petitioner no.2) assaulted the informant by an iron rod causing injury on head. Further, Binkesh Kumar assaulted by lathi causing injury to left eye and Mukesh Kumar snatched his golden chain. Thereafter on alarm, his brother and son came to save him her, who were also assaulted and the accused also disrobed his wife.

The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. It is next submitted that on account of dispute relating to land, the present occurrence took place. It is next submitted that petitioners and the informant are related and belonged to the same family. It is also submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that Pinkesh Kumar is alleged to be the order giver and Rinkesh Kumar is alleged to have assaulted by an iron rod causing injury on head and Binkesh Kumar assaulted by lathi causing injury to left eye and as far as petitioner no.4 is concerned, no specific overt act has been alleged against him.

The learned A.P.P. opposes the bail application and



submits that there is specific allegation of assault against Rinkesh and it is also submitted that from perusal of the impugned order, it would manifest that Shyam Sharan Singh had received grievous injury. .

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos.1 and 4, above-named, in the event of their arrest or surrender before the learned Court below within a period of six 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 the learned Court below where the case is pending in connection with Morkahi P. S. Case No.147 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

So far as petitioner no.2, namely, Rikesh Kumar @ Rinkesh Kumar is concerned, the Court is not inclined to extend the privilege of anticipatory bail to him.

Accordingly, his prayer for anticipatory bail stands rejected.

(Satyavrat Verma, J)

vikash/-

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

