

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47517 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- GURARU District- Gaya

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1. SINESH SINGH S/O LATE BHUNESHWAR SINGH R/o village- Konchi,
P.S.- Guraru, District- Gaya
 2. SAURABH KUMAR @ FAJAL KUMAR S/O LATE BINESH SINGH R/o
village- Konchi, P.S.- Guraru, District- Gaya
 3. ROUSHAN KUMAR S/O LATE BINESH SINGH R/o village- Konchi,
P.S.- Guraru, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Sr. Adv. Ms. Richa, Adv.
For the Opposite Party/s	:	Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 05-07-2022 Heard learned senior counsel for the petitioners no. 1 and 3, learned counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners no. 1 and 3 apprehending their arrest in connection with Guraru P.S. Case no. 28 of 2021 instituted for the offence punishable under Sections 341, 504, 323, 506, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, the informant gave power of attorney to Sinesh Singh of a Petrol Pump, which was



in the name of his daughter, which got cancelled and Sinesh Singh and Niraj Kumar both gave money to the informant. Due to some personal disputes between Niraj Kumar and Sinesh Singh, the petrol pump was closed since ten months and because of this a meeting on 07.03.2021 was called for compromise but in the meanwhile, petitioners started to abuse and assault the informant. Niraj Singh assaulted the informant by iron rod and Saurav Kumar snatched a gold chain and Rs. 10,000/- from his pocket and Sinesh Singh started firing.

Learned senior counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. Doctor who has given first aid to Ramadhar Singh has prepared the injury report in which swelling and pain at back were found and keep the opinion reserved due to refer to ANMMCH, Gaya. Injured Neeraj Kumar, has received simple injury caused by hard and blunt object. It is further submitted by learned senior counsel for the petitioners that during investigation, it appears that a false and concocted story was developed later on by filing a supplementary injury report, which was prepared by the same doctor in which fracture of left second to seventh ribs is shown. Nature of injury is shown as grievous caused by hard and blunt



object.

It is further submitted by learned senior counsel for the petitioners that on earlier occasion, on request of the learned counsel, informant was granted time for filing discharge report from where informant Ramadhar Singh was getting treatment, but he failed.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners no. 1 and 3 on bail. The petitioners no. 1 and 3 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Guraru P.S. Case no. 28 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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