

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48543 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- RAMGARH District- Kaimur (Bhabua)

1. KAMLESH SINGH SON OF LALJEE SINGH R/O VILLAGE-BHALAURNI, P.S.- RAMGARH, DISTRICT- KAIMUR AT BHABUA
2. SATYENDRA SINGH SON OF LALJEE SINGH R/O VILLAGE-BHALAURNI, P.S.- RAMGARH, DISTRICT- KAIMUR AT BHABUA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 48558 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- RAMGARH District- Kaimur (Bhabua)

1. ANIL SINGH S/O LALJEE SINGH Resident of Village- Bhalauni, P.S.- Ramgarh, District- Kaimur at Bhabua
2. SANDEEP SINGH S/O ANIL SINGH Resident of Village- Bhalauni, P.S.- Ramgarh, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 48543 of 2022)

For the Petitioner/s : Mr. Bikramdeo Singh, Advocate
Mr. Uday Pratap Singh, Advocate.

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 48558 of 2022)

For the Petitioner/s : Mr. Bikramdeo Singh, Advocate.
Mr. Uday Pratap Singh, Advocate.

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-12-2022 Heard Mr. Bikramdeo Singh, learned counsel for the

petitioners and Mr. Anant Kumar 1, learned Additional Public

Prosecutor appearing for the State through video conferencing.



Petitioners seek regular bail in connection with Ramgarh P.S. Case No. 343 of 2021 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code 1860. Subsequently, Section 302 of the Indian Penal Code was added.

As per the First Information Report, the petitioners along with other accused persons surrounded the brother of the informant and upon instigation of petitioner No. 1 of both the cases, all the accused persons assaulted the brother of the informant by means of rod, *lathi* etc., due to which, he got injuries and subsequently died during course of treatment.

Learned counsel for the petitioners submits that both the parties are co-villagers and there is land dispute between them. He further submits that Title Suit bearing No. 878 of 2021 has been filed by the side of the petitioners against the informant and others. There is case and counter case for the occurrence which has taken place on the same date and time and F.I.R. of Ramgarh P.S. Case No. 342 of 2021 has been lodged from the side of the petitioners in which the informant and others have been made accused and one person from the side of the petitioners has received grievous injuries. He also submits that the allegation of assault is upon 10 persons indiscriminately,



but only one injury has been found on the head of the informant. He also submits that co-accused Satish Singh who is alleged to have instigated the accused persons also, has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 13377 of 2022. The petitioners are in custody since 18.4.2022 and 29.4.2022 respectively.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that there is case and counter case between the parties, the land dispute is pending between them and allegation is general and omnibus in nature, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Kaimur at Bhabua, in connection with Ramgarh P.S. Case No. 343 of 2021.

(Anil Kumar Sinha, J)

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