

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58703 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- SIKANDRA District- Jamui

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1. SUBODH SINGH S/O JAYRAM SINGH R/o village- Mahna, P.S.- Sikandara, Distt.- Jamui
 2. Praveen Singh S/o Jayram Singh R/o village- Mahna, P.S.- Sikandara, Distt.- Jamui
 3. Arun Singh S/o Rajaram Singh R/o village- Mahna, P.S.- Sikandara, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-06-2022 Heard.

The petitioners apprehend their arrest in connection with Sikandara P.S. Case No. 157 of 2020, registered for the offence punishable under Sections 341, 323, 307, 504, 354(B), 34 of the Indian Penal Code and Section 27 of Arms Act.

The allegation is regarding the accused persons including the petitioners herein having arrived at the house of the informant where the brother of the informant and his wife along with his grand mother were talking amongst themselves and then they are alleged to have assaulted the brother of the informant



as also had misbehaved with his wife. As far as the petitioner no.1 is concerned, he is alleged to have given a sap (sword like weapon) blow on the head of the brother of the informant while the petitioner no.2 is alleged to have pushed the wife of the informant and misbehaved with her and as far as the petitioner no.3 is concerned, he is stated to have assaulted the brother of the informant with a rod on his back and leg.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having a clean antecedent. The learned counsel for the petitioners has further submitted, by referring to the injury report, which is annexed as Annexure-3 to the present petition, that the injury sustained by the brother of the informant namely sintu Singh has been found to be simple in nature, however, the injured was sent to the Patna Medical College and Hospital, Patna and the report of the Patna Medical College and Hospital has also been annexed to the present petition which also shows that neither any fracture nor any abnormality of visualized internal structures has been found. It is further submitted that the present case arises out of case and counter case and the present



case has been filed on account of pre-existing land dispute.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail and has submitted that the petitioners have assaulted the brother of the informant, hence they are not entitled for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also considering the fact that the injury, if at all, sustained by the brother of the informant namely Sintu Singh has been found to be simple in nature apart from the fact that the present case arises out of case and counter, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioners, above-named, are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned court of C.J.M., Jamui in Sikandra P.S. Case No. 157 of 2020, subject to the conditions laid down



under section 438(2) of the Cr. P. C.

(Mohit Kumar Shah, J)

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