

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.41940 of 2022

Arising Out of PS. Case No.-599 Year-2021 Thana- LAKHISARAI District- Lakhisarai

1. SHANJEEVAN SINGH @ RAM SANJEEVAN KUMAR @ RAM SANJEEVAN SINGH S/O YADUNANDAN SINGH Resident of Village- Aurey, P.S.- Ramgarh Chowk, District- Lakhisarai.
2. TRIPURARI SINGH S/O YADUNANDAN SINGH Resident of Village- Aurey, P.S.- Ramgarh Chowk, District- Lakhisarai.
3. ARVIND SINGH S/O YADUNANDAN SINGH Resident of Village- Aurey, P.S.- Ramgarh Chowk, District- Lakhisarai.

... .. Petitioners.

Versus

THE STATE OF BIHAR.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Jai Prakash Singh
For the Opposite Party : Md. Iftexhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-02-2023 Heard learned counsel for the petitioners and learned

A.P.P. for the State assisted by learned counsel for the informant.

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

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code.

The allegations against the petitioners is that after having a hot discussion, the petitioners gave the *Khanti* blow on the head of informant's father, as a result, fractured head of informant's father which resulted into the death.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They have



been falsely implicated in this case due to previous enmity. There is enmity in respect of land dispute which is going on between the petitioners and the informant. The petitioners are quite innocent and they have not committed any offence as alleged. It is further submitted that after investigation police has submitted the final form against the petitioners but the learned court below differing with the final form taken cognizance against the petitioners. The allegations levelled against the petitioners are not specific rather general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Lakhisarai (Ramgarh Chowk) P.S. Case No. 599 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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