

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51977 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- SIKANDRA District- Jamui

1. MAHENDRA SINGH S/O LATE SURJUG SINGH Resident of village- Kumar P.S.- Sikandra District- Jamui.
2. ARJUN SINGH S/O LATE SURJUG SINGH Resident of village- Kumar P.S.- Sikandra District- Jamui.
3. KARU SINGH @ KARYANAND SINGH S/O LATE SHADHUSINGH Resident of village- Kumar P.S.- Sikandra District- Jamui.
4. RANJIT SINGH @ GHANTU SINGH S/O RAM JI SINGH Resident of village- Kumar P.S.- Sikandra District- Jamui.
5. JITENDRA KUMAR @ KASHELI SINGH S/O LATE RADHEY SINGH Resident of village- Kumar P.S.- Sikandra District- Jamui.
6. BINAY KUMAR @ BINAY SINGH S/O LATE MAHENDRA SINGH Resident of village- Kumar P.S.- Sikandra District- Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-01-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 147, 148, 149, 341, 342, 323, 324, 307, 337, 338, 427, 379, 504 and 506 of the



Indian Penal Code.

As per prosecution case, the petitioners and accused persons started making construction wall over the land of the informant and when the informant objected, accused Binod Singh inflicted *khanti* blow over his head, and due to which, the informant received injury over his head, and when brother of the informant and nephew Rohit and Anurag Kumar came to save him, then Mahendra Singh ordered to kill them, on which co-accused Santu Singh gave sword blow over the head of brother of the informant and Rohit Kumar which caused injury over left side of the face of Rohit Kumar. The nephew of the informant Anurag was assaulted by pelting bricks. During the course of assault petitioner Mahendra Singh took a chain made of gold weighing 20 *grams* and all the accused persons enter the shop of informant and committed loot. The informant and injured person were brought to P.H.C. Sikandra for their treatment and from where they were referred to Sadar Hospital.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is a case and counter case between the parties on account of land dispute. Petitioner no. 1 is simply an order giver. As per injuries report, injuries are simple in nature caused by hard and blunt



substance. The co-accused has already been granted bail vide order dated 07.12.2022 passed in Cr. Misc. No. 56658 of 2022. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Jamui in connection with Sikandra P.S. Case No 149 of 2022, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, with following conditions:-

1.The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail bonds.

This application stands allowed.

(Chandra Prakash Singh, J)

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