

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55752 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- PIPRIYA District- Lakhisarai

1. Bal Kishor Singh S/O Late Bhashawan Singh Resident Of Village- Hasanpur, P.S.- Pipariya, District- Lakhisarai (Bihar)
2. Karam Deo Singh @ Karan Deo Singh S/O Late Bhashawan Singh Resident Of Village- Hasanpur, P.S.- Pipariya, District- Lakhisarai (Bihar)
3. Pankaj Singh S/O Late Bhashawan Singh Resident Of Village- Hasanpur, P.S.- Pipariya, District- Lakhisarai (Bihar)
4. Nilesh Kumar S/O Pankaj Singh Resident Of Village- Hasanpur, P.S.- Pipariya, District- Lakhisarai (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sinha

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-02-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 323, 324, 307, 354(B), 302, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per F.I.R is that when the brother of the informant namely Budhan Singh @ Arun Singh was milking the cow, all the accused



persons including the petitioners and five unknown persons came armed with deadly weapons and brutally assaulted to the informant's brother as a result of which, he died. The accused persons also assaulted the other family members of the deceased while they came to save him.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. There is no specific accusation against the petitioners that they assaulted the deceased. The specific accusation of assault to the deceased is against Abnish Singh. There is general and omnibus allegation against the petitioners. The petitioners are languishing in custody since 15.05.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned counsel appearing on behalf of the informant and learned A.P.P for the State have vehemently opposed the prayer for bail of the petitioners



and submitted that there is specific accusation against petitioner Karam Deo Singh and Pankaj Singh that they assaulted with iron Khanti on the head of Shyamal Singh and Banbir and the injuries of Banbir Singh has been found to be grievous in nature.

Considering the fact that there is no specific accusation against the petitioners that they have assaulted the deceased and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Pipariya P.S. Case No. 32 of 2022.

(Sunil Kumar Panwar, J)

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