

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73250 of 2023

Arising Out of PS. Case No.-290 Year-2023 Thana- DUMRAO District- Buxar

1. Satyendra Bahadur Singh Son Of Paras Nath Singh Resident Of Village- Banaheji Dera Ward No 22, Police Station- Dumraon, District- Buxar.
2. Harendra Bahadur Singh Son Of Paras Nath Singh Resident Of Village- Banaheji Dera Ward No. 22, Police Station- Dumraon, District- Buxar.
3. Bir Bahadur Singh Son Of Kashi Nath Singh Resident Of Village- Banaheji Dera Ward No. 22, Police Station- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 28-11-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Dumraon P.S. Case No. 290 of 2023 dated 13.07.2023 registered for the offences punishable u/ss 147, 148, 149, 323, 307, 504, 506 and 386 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, when the informant was measuring his land then the petitioners and the co-accused persons came and started abusing and assaulting the informant. It is further alleged that the co-accused Ashish Kumar@ Golu



assaulted the informant with *lathi* causing head injury and opened fire on the informant. Thereafter, the co-accused Gulshan Kumar snatched the gold chain of the informant. It is further alleged that the petitioner Bir Bahadur Singh wrapped rope the informant's neck and pulled and the petitioner Harendra Bahadur Singh took out Rs. 1300/- from his pocket. The co-accused Asha Devi and Rabita Devi assaulted the informant with stone and the petitioner Satendra Bahadur Singh and the co-accused Ashish Kumar threatened him of dire consequences.

4. 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. Both parties are agnates and there is land dispute between the parties. The specific allegation of assaulting is against the co-accused Ashish Kumar @ Golu. Learned counsel has further submitted that the petitioners have no concern with the alleged offence. The petitioners have one criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances



of the case as well as the nature of allegation, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on 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, Buxar in connection with Dumraon P.S. Case No. 290 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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