

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76345 of 2023

Arising Out of PS. Case No.-138 Year-2023 Thana- RAJPUR District- Rohtas

1. SHIOPARAS SINGH Son of Late Ratan Singh R/o vill - Kapasiya, P.S. - Rajpur, Distt. - Rohtas At Sasaram
2. Aman Singh Son of Dinesh Singh R/o vill - Kapasiya, P.S. - Rajpur, Distt. - Rohtas At Sasaram
3. Anandi Singh Son of Vishwanath Singh R/o vill - Kapasiya, P.S. - Rajpur, Distt. - Rohtas At Sasaram
4. Govind Singh @ Govind Kumar Son of Vishwanath Singh R/o vill - Kapasiya, P.S. - Rajpur, Distt. - Rohtas At Sasaram
5. Dinesh Singh Son of Late Munni Singh R/o vill - Kapasiya, P.S. - Rajpur, Distt. - Rohtas At Sasaram
6. Akash Kumar Son of Dinesh Singh R/o vill - Kapasiya, P.S. - Rajpur, Distt. - Rohtas At Sasaram

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.
For the Opposite Party/s : Mr.Raj Kishor Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 452, 379, 354, 307 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have abused and assaulted the informant's side brutally with deadly weapons.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Both the parties are next door neighbours. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. The injuries sustained by the injured are simple in nature. It is further submitted that accused no. 15, namely, Maheshwari Devi filed a Title Suit No. 499 of 2009 against the informant and his family members before the learned court of learned Sub Judge, Bikramganj, Rohtas which has been decreed in favour of accused no. 15. Thereafter, informant has also filed a Title Appeal No. 07 of 2021 which has been pending in the court of learned A.D.J.-XIX, Sasaram, Rohtas. Petitioners have criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is admitted land dispute between the parties and the injuries sustained by the injured are simple in nature, let the above named petitioners, be released on bail, in the event of



their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Rajpur P.S. Case No. 138 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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