

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74305 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- OBRA District- Aurangabad

1. BIRENDRA SINGH Son of Pakuni Singh @ Shyam Nandan Singh R/v- Prem Bigha, P.S.- Obra, District- Aurangabad
2. SUDHIR KUMAR Son of Rabindra Singh R/v- Prem Bigha, P.S.- Obra, District- Aurangabad
3. RABINDRA SINGH Son of Pakuni Singh @ Shyam Nandan Singh R/v- Prem Bigha, P.S.- Obra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

Petitioners apprehend arrest in a case registered for the offence punishable under sections 307,504/506/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, petitioner no.2, who was in inebriated state, abused the prosecution party and on objection, he along with other accused persons assaulted them as a result of which four persons sustained injuries.

Learned counsel appearing for the petitioners submits that petitioner nos 1 and 3 are own brothers, whereas petitioner



no.2 is son of petitioner no.3. Parties are co-villagers of different caste. As a matter of fact, informant's sister-in-law Bibha Devi eloped with petitioner no.2 for which Obra Police Station Case No. 122 of 2018 was lodged. However, after lodging of the case, said Bibha Devi appeared and denied the prosecution case in her 164 Cr.P.C. statement. She solemnized marriage with petitioner no.2 and is living with him. In retaliation, this false case has been lodged. Injuries caused by these petitioners are simple in nature.

Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate Daudnagar in Obra Police Station Case No. 22 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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