

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22555 of 2024

Arising Out of PS. Case No.-621 Year-2023 Thana- CHHATAUNI District- East Champaran

1. Ramekbal Singh S/O Late Haribansh Narayan Singh R/O Village - Bara Bariyarpur, P.S. - Chhatauni, Motihari District - East Champaran
2. Ashok Kumar @ Ashok Kumar Singh @ Dhirendra Kumar Singh @ Ashok Singh @ Dhirendra Kumar S/O Late Haribansh Narayan Singh R/O Village - Bara Bariyarpur, P.S. - Chhatauni, Motihari District - East Champaran
3. Ravinandan Singh S/O Late Haribansh Narayan Singh R/O Village - Bara Bariyarpur, P.S. - Chhatauni, Motihari District - East Champaran
4. Radhe Shyam Singh S/O Late Haribansh Narayan Singh R/O Village - Bara Bariyarpur, P.S. - Chhatauni, Motihari District - East Champaran
5. Mohit Kumar S/O Ashok Kumar @ Ashok Kumar Singh @ Dhirendra Kumar Singh R/O Village - Bara Bariyarpur, P.S. - Chhatauni, Motihari District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-04-2024 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 Chhatauni P.S. Case No. 621 of 2023 dated 16.12.2023 registered for the offence/s punishable u/ss 147, 148, 341, 323, 307, 327, 324, 384, 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioners and the



co-accused persons are alleged to have come to the land of the informant for the purpose of grabbing it. When they saw the informant, the petitioner no. 3, Ravinandan Singh inflicted Farsa blow on the head of informant with intention to kill causing head injury and the accused Ashok Singh and Ram Ekbal Singh assaulted the informant by means of lathi and bricks. It is further alleged that the accused Mohit Kumar snatched his golden chain worth Rs. one lakh. In the meantime, the accused Ashok Kumar Singh fired from his pistol which passed near the temple region of the informant. It is further alleged that the accused Ashok Singh and Mohit Kumar also assaulted the informant's son with bricks.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is case and counter case between the parties. It is further submitted that a free fight took place between the parties and both parties sustained injuries. The petitioners also sustained injuries though the injuries are simple in nature. No one sustained fire arm injury. As per the injury report, the informant sustained lacerated wound on right front of parietal area of head which is simple in nature caused by hard and blunt substance. The allegation against the accused, Mohit



Kumar of snatching the golden chain is ornamental. The petitioner no. 1, 3 and 4 have one criminal antecedent, the petitioner no. 2 has two other criminal antecedents and the petitioner no. 5 has no criminal antecedents as stated at 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 injuries being simple in nature, 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, East Champaran in connection with Chhatauni P.S. Case No. 621 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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