

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28377 of 2015

Arising Out of PS.Case No. -214 Year- 2015 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Nagendra Prasad Kushwaha Son of Late Mahanth Prasad
2. Bhola Prasad Kushwaha Son of Late Mahnath Prasad
3. Ramchandra Prasad Kushwaha Son of Late Mahnath Prasad
4. Rohit Kushwaha Son of Shri Yogendra Prasad Kushwaha All are
resident of Jai Prakash Nagar(I.T.I. Colony) Bettiah, Police Station- Bettiah
Mufassil, District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. D.P.Tiwary(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 23-07-2015

It is submitted by learned counsel for the petitioner that
petitioner No.1, Nagendra Prasad Kushwaha has been arrested.

This application for anticipatory bail is disposed of as
having become infructuous so far it relates to petitioner No.1.

Heard learned counsels for the petitioners No.2 to 4 and
the State.

The petitioners are apprehending arrest in a case
registered for the offences punishable under Section 307 and other
sections of the Indian Penal Code and under Section 27 of Arms
Act.

The prosecution case is that petitioners along with other

FIR named accused persons and 10-15 unknown persons were ploughing the land of the informant and on protest being made on the order of Rohit Kushwaha and Rahul Kushwaha, Yogendra Kushwaha opened fire causing fire arm injury on left hand of informant.

It is submitted by the learned counsel for the petitioners that there is specific allegation of firing against Yogendra Kushwaha and the accusation has been levelled in the background of land dispute between the parties.

Considering the aforesaid facts, let the petitioners Nos. 2 to 4, above named, be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West Champaran in connection with Bettiah Mufassil P.S. Case No. 214/2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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