

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48822 of 2014

Arising Out of PS.Case No. -147 Year- 2014 Thana -KUCHAIKOTE District- GOPALGANJ

- =====
1. Jamshed Dewan
 2. Khurshid Dewan @ Khurshord Dewan
both sons of Habibullah are resident of village - Sasamusa, P.S.
Kuchaikote, District - Gopalganj
 3. Bulet Yadav @ Bulat Yadav son of Shivjee Yadav
 4. Amardeep Yadav @ Amar Yadav son of Late Dahari Yadav
both are resident of village - Bindwalia, P.S. Kuchaikote, District -
Gopalganj

.... Petitioners

Versus

1. The State of Bihar Opposite Party
- =====

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Asha Devi(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 23-04-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioner nos. 2, 3 and 4 apprehend their arrest in
connection with Kuchaikote P.S. Case No. 147 of 2014 registered
for the offences punishable under Sections 341, 323, 307, 504/34
of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, when the informant was going to deposit
cash of Rs. 45,000/- along with his grandfather Kedar Singh in
the Bank, the petitioners came there and on the point of Katta
stopped and assaulted with butt of Katta and lathi-danda causing
head injuries. They were pulling the informant but due to alarm

being raised by the grandfather of the informant, people started assembling and then petitioner no. 3 and co-accused Jamshed Dewan opened fire and took out Rs. 45,000/-.

Submission is of false implication and that there is case and counter case, both are shopkeepers and now the case has been compromised and a compromise petition has also been filed and there is no firearm injuries, and as such, the petitioners deserve sympathetic consideration to which the learned APP opposes.

Considering the submission that the case has been compromised between the parties, the petitioner nos. 2, 3 and 4 above named are directed to surrender before the court below and seek regular bail and in that event the learned court below after ascertaining the genuineness of the compromise petition shall consider the prayer for regular bail on the same day.

Accordingly, this application for pre-arrest bail on behalf of petitioner nos. 2, 3 and 4 is hereby disposed of with the aforesaid observations.

(Jitendra Mohan Sharma, J)

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