

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27836 of 2015**

Arising Out of PS.Case No. -48 Year- 2014 Thana -PANAPUR District- SARAN

=====

1. Nagendra Kunwar Son of Late Ram Dharan Kunwar  
2. Dilip Kumar Son of Nagendra Kunwar both residents of village -  
Chakiya, P.S. Panapur, District - Saran

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr. Anju Kumari @ Anju Narain

For the Opposite Party/s : Mr. Kr.Virendra Narayan(APP)

=====

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

4      07-10-2015      Heard learned counsel for the petitioners and learned  
counsel appearing on behalf of the State.

Both the petitioners are apprehending their arrest in  
connection with Panapur P.S.Case No. 48 of 2014 registered under  
Sections 147, 148, 149, 448, 326, 307, 323, 379, 427, 302 of the  
IPC and 27 of the Arms Act.

Earlier case diary in the present case was called for,  
which has since been received.

Learned counsel for the petitioners submits that it is case  
of false implication on account of the fact that there was land  
dispute between the parties and therefore they have been roped in  
to the present case.

However, after considering all materials on the record  
and considering the fact that petitioner No.1 Nagendra Kunwar is

the main person to have attacked the deceased causing his death and that he has criminal antecedents, I am not inclined to grant anticipatory bail to the petitioner No.1. His prayer is rejected.

So far as petitioner No.2 Dilip Kumar is concerned, it is alleged in the FIR that he had fired from his country-made pistol in order to terrorize the persons sitting in the Angan, which did not hit anyone.

In view of the said facts and circumstances and that he has one other case behind him instituted by one of his agnates, let the petitioner No.2, namely, Dilip Kumar, in the event of his arrest/surrender in the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with Panapur P.S.Case No. 48 of 2014 to the satisfaction of Sri Amit Kumar Singh, Judicial Magistrate, 1<sup>st</sup> Class, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Anjana Mishra, J)**

spal/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|