

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52549 of 2015

Arising Out of PS.Case No. -371 Year- 2015 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

Dayanand Prasad son of Ram Balak @Jay Prasad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Adv.

For the Opposite Party/s : Mr. Shailendra Kr. 2(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-12-2015 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection with Hilsa P.S. Case no. 371 of 2015 (G.R. No. 1622 of 2015) registered for offences punishable under Sections 147,149,323,504,307 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the accused Dayanand Prasad was constructing his house beside the house and land of informant and accused Dayanand Prasad forcefully took possession of some part of the land of the informant. On 03.07.2015 when the informant asked for the possession of his land, he refused to leave the land and ordered the accused Radhey Yadav to shoot the informant whereupon, accused Radhey Yadav went and brought a pistol from his house and started firing. The informant and his family members started fleeing away to save their lives and in that course, the daughter of informant namely, Rinki Kumari sustained fire-arm injury. The informant has further alleged that other

accused persons namely, Dhaneshwar Prasad, Anya Yadav, Sarvi Yadav, Ram Balak Prasad and Siya Yada were also indulged in firing and brick- batting/pelting.

It has been submitted on behalf of the petitioner that the petitioner and the informant are full brothers and there is admittedly land dispute between the parties as is evident from the FIR also. Further more the petitioner submits that the allegation against him is only omnibus and the allegation of firing and brick batting has been assigned to other accused persons and not the petitioner.

Be that as it may, let the petitioner, namely, Dayanand Prasad in the event of his arrest / surrender within a period of eight weeks from today before the Court below, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa Nalanda in connection with Hilsa P. S. Case no. 371 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

Prakash/-

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