

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12131 of 2015

Arising Out of PS.Case No. -375 Year- 2014 Thana -AMARPUR District- BANKA

- =====
1. Mahendra Panjiyara.
 2. Anil Panjiyara.
 3. Suraj Kumar @ Suraj Panjiyar.
 4. Guddu Kumar @ Guddu Panjiyar.
 5. Nawal Panjiyara.
 6. Haribole Panjiyara.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party : Mr. G.S.Gupta(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-03-2015

It is submitted by learned counsel for the petitioners that the petitioner nos. 2, 3 and 5, Anil Panjiyara, Suraj Kumar @ Suraj Panjiyar and Nawal Panjiyara have been arrested. Hence, their application has become infructuous.

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 447, 307, 120(B) of the Indian Penal Code and 25(1-B)a, 26 and 27 of the Arms Act.

It is alleged that the accused persons tried to stop the informant who was coming on a motorcycle when the informant tried to escape then the accused

persons made indiscriminate firing though no injury was caused to any one but subsequently country made pistol of co-accused Bipin Panjiyara and Tipin Panjiyara were recovered from the heap of straw near the Community Hall of petitioner no. 1 Mahendra Panjiyara.

It is submitted by learned counsel for the petitioners that in the background of serious land dispute, accusation has been levelled and accusation appears to be unreasonable to the extent that several persons resorted to fire and the informant did not receive any injury. Petitioner no. 1 Mahendra Panjiyara is 87 years old and as per the informant the arms were of co-accused Bipin Panjiyara and Tipin Panjiyara.

The aforesaid facts constitute grounds for consideration of prayer for regular bail of petitioner no. 1 Mahendra Panjiyara, if he surrenders within a period of six weeks from the date of receipt/production of copy of the order in connection with Amarpur(Fullidumar) P.S. Case No. 375 of 2014 (G.R. Case No. 2564 of 2014), pending in the court of the learned C.J.M. Banka.

Since the petitioner no. 1 is 87 years old, learned court below may dispose off his bail application preferably on the same day.

With this observation, the application of

petitioner no. 1 is disposed off.

Considering the fact that there is no overt act alleged against petitioner nos. 4 and 6, let them except petitioner nos. 1, 2, 3 and 5 be released on bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Amarpur (Fullidumar) P.S. Case No. 375 of 2014 (G.R. Case No. 2564 of 2014) on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--