

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55126 of 2016

Arising Out of PS.Case No. -81 Year- 2016 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

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1. Dulli Prasad @ Dularchand Prasad, son of Late Ram Lakhan Prasad,
Resident of Village- Tribhuwan Bigha, P.S.- Tharthari, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.55162 of 2016

Arising Out of PS.Case No. -81 Year- 2016 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

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Ravindra Prasad son of Dulli Prasad @ Dularchand Prasad, R/o-vukkage-
Tribhuwan Bigha, P.S.- Tharthari, Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.55126 of 2016)

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

(In Cr.Misc. No.55162 of 2016)

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 17-03-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioner, namely, Dulli Prasad @ Dularchand Prasad and
petitioner, namely, Ravindra Prasad are in custody since 18.08.2016 and
25.07.2016, respectively, in connection with S.T. No. 599 of 2016
arising out of Tharthari P.S. Case No. 81 of 2016 registered under



Sections 147, 148, 149, 504, 323, 324, 307 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that the entire case is a counter blast of Tharthari P.S. Case No. 82 of 2016 lodged by the petitioners against the informant and on this count only, these petitioners have been made accused in this case. In fact, there is a land dispute between the parties. According to the F.I.R, petitioner, Dulli Prasad @ Dularchand Prasad, only happens to be an order giver and except this no specific overt act is attributed to him. There is allegation of open fire from pistol, which is alleged to have hit Anjani Prasad, against the petitioner, Ravindra Prasad. But no firearm injury is available on record rather the injury found on the person of the injured is simple in nature, which is evident from Annexure-4. The petitioners are rotting in custody for the last six months.

Considering the nature of accusation, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Hilsa, Nalanda in connection with S.T. No. 599 of 2016 arising out of Tharthari P.S. Case No. 81 of 2016.

(Arvind Srivastava, J)

Brajesh/-

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