

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29175 of 2017

Arising Out of PS.Case No. -308 Year- 2016 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

- =====
1. Ram Dayal Ram Chandravanshi @ Ram Dayal Prasad, Son of Late Munna Kahar,
 2. Nand Kishore Prasad @ Nand Kishore @ Suman, Son of Ram Dayal Ram Chandravanshi,
 3. Jai Kishore Chandravanshi @ Jai Kishore Prasad, Son of Ram Dayal Ram Chandravanshi,
 4. Amarnath Chandravanshi, Son of Nand Kishore Chandravanshi,
 5. Golu Chandravanshi, Son of Nand Kishore Chandravanshi, All resident of Village- Dumari, P.S.- Shivsagar, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Narayan Rai

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 19-08-2017 Heard both sides.

The petitioners apprehend their arrest in Shivsagar P.S. Case No. 308 of 2016 registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

The informant named the petitioners and alleged that the accused persons damaged the drainage and started assaulting the informant and others. Ram Dayal Ram Chandravanshi @ Ram Dayal Prasad is said to have assaulted Yamuna Chaudhary, the



informant on his head. Jai Kishore Chandravanshi @ Jai Kishore Prasad fired but nobody was injured. Amarnath Chandravanshi assaulted with Lathi.

Learned counsel for the petitioners submits that Nand Kishore Prasad @ Nand Kishore @ Suman, petitioner no. 2 lodged Shivsagar P.S. Case No. 307 of 2016 in which he alleged that the accused persons were constructing drainage on the government land and when he objected Pappu Chaudhary fired which hit in the abdomen of Nand Kishore Prasad @ Nand Kishore @ Suman, petitioner no. 2. The present case is lodged to create defence. Yamuna Chaudhary got simple injury on his head which is alleged to have been caused by Ram Dayal Ram Chandravanshi @ Ram Dayal Prasad, petitioner no. 1.

It appears that Pappu Chaudhary who is alleged to have caused firearm injury in the abdomen of Nand Kishore Prasad @ Nand Kishore @ Suman has been granted anticipatory bail vide order 14.07.2014 in Cr. Misc. No. 29523 of 2017 on the ground that there was dispute with regard to construction of drainage.

Considering the facts aforesaid and the fact that Pappu Chaudhary who is alleged to have caused firearm injury in the abdomen of Nand Kishore Prasad @ Nand Kishore @ Suman



has been granted anticipatory bail in the counter case, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas at Sasaram in Shivsagar P.S. Case No. 308 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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