

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47443 of 2017**

Arising Out of PS.Case No. -127 Year- 2017 Thana -ALAMNAGAR District- MADHEPURA

- =====
1. Preetam Kumar @ Prittam Kumar, Son of Devo Mehta, Resident of Village- Khonma Gochhi, Kishanpur, Ratwara, P.S.- Alamnagar, District- Madhepura.
  2. Munilal Mehta @ Munilal Singh, Son of Hridi Mehta @ Hirdi Mehta, Resident of Village- Chhoti Fatoriya, P.S. Alamnagar, District- Madhepura.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anant Kumar-1

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

ORAL ORDER

02/ 17-10-2017

Heard learned counsel for the petitioners

and the learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 307, 427, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case got initiated on the written report of the informant Bhola Mandal dated 10.06.2017 to the effect that the petitioner and seven others along with co-accused Sobhi Mehta came to the agriculture land of the informant and they started abusing and assaulting the informant,



damaged the fodder machine and trunk (steel box) of the brother of the informant and took away Rs.40,000/-. On protest being made the petitioner no. 1 Preetam Kumar resorted to firing but it did not hit anyone. Thereafter, the petitioners and other co-accused persons took away cattle of the informant while resorting to fire in air.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. As per written report no injury was caused to anyone. There is a counter version of the occurrence also being Alamnagar P.S. Case No. 128 of 2017 registered under Sections 379, 341, 323, 504 and 506/34 of the Indian Penal Code. Moreover, for the occurrence of 09.06.2017 at 7.45 P.M. the FIR was registered on 10.06.2017 at 1.00P.M. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Learned APP submits that as per the written report no injury was caused to anyone.

Considering the nature of accusation particularly the fact that, prima facie, it appears that none have received any injury, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the



learned Court below within a period of twelve weeks from today,  
on furnishing bail bonds of Rs.10,000/- (Ten thousand) each  
with two sureties of the like amount each to the satisfaction of  
learned SDJM, Udakishunganj, District - Madhepura in  
connection with Alamnagar P.S. Case No. 127 of 2017, subject  
to the conditions as laid down under Section 438(2) of the  
Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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