

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47440 of 2017

Arising Out of PS.Case No. -488 Year- 2017 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

- =====
1. Ravi Ranjan Chouhan,
 2. Gyanu Chouhan @ Janu Chauhan, Both sons of Dhaneshwar Chouhan,
Both resident of Village- Juniyyar, Tola- Nonia Bigha, P.S.- Hilsa,
District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Moleshwar

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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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, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the informant, is that he purchased a piece of land in favour of his wife Anila Devi and on 23.07.2017 at 10.00 A.M. the informant went to the field for planting paddy seedlings, when indiscriminate firing was resorted to. The informant and his wife escaped and saw the



petitioner on road along with co-accused Dheneshwar Chauhan having gun in their hand. It is further alleged that few days prior to the occurrence, wheat crops of the informant was stolen at the instance of the accused persons for which Hilsa P.S. Case No. 210 of 2017 has been lodged.

It is submitted by learned counsel for the petitioners that the petitioners are agnates of the informant and in the background of serious land dispute, the accusation has been levelled and admittedly no injury has been caused to the informant side. Hence, even assuming the accusation, no offence under Section 307 IPC is made out. There is a counter version of the occurrence also being Hilsa P.S. Case No. 489 of 2017, though, at earlier point of time another case was lodged by the informant against the petitioners.

Learned APP submits that no injury was caused to anyone.

Considering the fact that the accusation has been levelled in the background of land dispute and informant having received no injury, let the above named petitioner 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 Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 488 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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