

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61907 of 2017

Arising Out of PS. Case No.-121 Year-2017 Thana- PHULPARAS District- Madhubani

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1. RANJAN BHINDWAR @ RANJAN KUMAR BHINDWAR, Son of Debmurti Bhindwar,
 2. Domi Thakur, Son of Jageshwar Thakur,
 3. Acchelal Paswan, Son of Kapileshwar Paswan,
- All of Resident of Village- Sugapatti, P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. SRI ABHAY KUMAR – 1, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-12-2017 Heard learned Counsels for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 326, 307 and 504 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case as per the Fardbeyan of Ashok Kapar is to the effect that on 10.05.2017 at 6.30 A.M., in the morning, all the accused persons, named in the FIR, being variously armed captured 4 katha of the land adjacent to the house of the informant. On protest being made, the accused persons abused the informant. It is specifically alleged that



Jeevan Bhindwar fired on the informant which hit his thigh and hand, when the son of the informant, Yudhisthir Kumar, wife Bibha Devi, daughter Aarti Kumari, brother Pawan Kapar and grand-son Sant Kumar Kapar and other relatives came to his rescue, Jaiprakash Gohitman fired on the son of the informant, Baiju Bhindwar fired on the grand-son of the informant Sant Kumar Kapar, Jai Krishna Gohitman fired on the brother of the informant Pawan Kumar and Shaibu Bhindwar fired on the niece of the informant Chandani Kumari, Debu Gohitman fired on the wife and daughter of the informant, caused injury to them. It is alleged against the petitioners that the petitioners also assaulted the informant with lathi, danda, farsa and iron rod and threatened to kill him.

It is submitted by learned counsel for the petitioners that in the background of land dispute accusation has been levelled. There is no accusation of firing against them. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP appearing on behalf of the State submits that the petitioners were also among the persons who assaulted the informant and several persons received injuries.

Considering the accusation of firing is not against this



petitioner, accusation of firing has been levelled in the background of land disptue and co-accused Jai Kishna Gohitman and Ors. have been granted regular bail vide Criminal Miscellaneous No. 37365 of 2017, by a co-ordinate Bench of this Court, 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 12 weeks from today, 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 ACJM-II, Jhanjharpur, Madhubani, in connection with Phulpras P.S. Case No.121/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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