

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43619 of 2018

Arising Out of PS.Case No. -80 Year- 2018 Thana -TELHARA District- NALANDA
(BIHARSHARIFF)

=====

Nailesh Prasad @ Naulesh Prasad Son of Rabindra Prasad Resident of
village- Beldari Bigha Tandpar, Police Station- Telhara, District- Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Adv.

For the Opposite Party : Mr. Indra Kumar Singh, APP.

=====

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

ORAL ORDER

02/ 20-07-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections 341,
323, 379, 307, 504, 506/34 of the Indian Penal Code and Section
27 of the Arms Act.

The prosecution case as per the written report
of Satyendra Prasad submitted to the Station House Officer,
Telhara P.S., is to the effect that on 17.06.2018 at 7.00 P.M. the
informant was sitting at his door, when his cousin, Kamlesh
Prasad and the petitioner, Nailesh Prasad came and started
abusing and pelting stones. On protest being made, they



assaulted the informant and when the informant raising alarm, wife of the informant was came to rescue him, when Kamlesh Prasad pushed down the wife of the informant by catching her hair while assaulting her and snatched her gold chain. When the father of the informant came to rescue, he was also assaulted by petitioner, Nailesh Prasad and when the wife of the informant went to rescue father of the informant, then Kamlesh fired which caused injury on the leg of the informant.

It is submitted by learned counsel for the petitioner that in the background of land dispute, the accusation has been levelled against the petitioner. The accusation of snatching a gold chain and firing is not levelled against the petitioner. Though, the petitioner is accused in two other cases being Complaint Case Nos. 322C of 2014 and 709C of 2015 but he is on bail in those two cases, though, statement to that effect has not been made in the petition.

Learned APP, however, submits that the petitioner is named in the FIR.

Considering the fact that the accusation of firing is against co-accused Kamlesh Prasad and the accusation being made in the background of land dispute, 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Telhara P.S. Case No. 80 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

