

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33422 of 2018

Arising Out of PS. Case No.-40 Year-2018 Thana- BIHARSHARIF District- Nalanda

1. Manoj Choudhary, S/o Bhola Choudhary,
2. Mishri Choudhary S/o Karam Chari Choudhary, Both Residents of Mohalla- Paharpura, P.S.- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Mohan Prasad Mehta

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-06-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bihar P.S. Case No. 40 of 2018 registered under Sections 147, 148, 149, 323, 326, 337, 338, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation of informant, Md. Mono, is that Karu Paswan, who was driving the Pick-up Van tried to dash Md. Arshad, who present in side the road, but anyhow Md. Arshad saved himself. Thereafter, Karu Paswan stopped his Pick-up Van and started to abuse Md. Arshad. In the meantime, 16 persons, as detailed in the F.I.R., gathered there and started stone pelting and Karu Paswan opened fire, in which, three persons sustained



firearm injury.

Learned counsel for the petitioners submits that while the petitioners are named in the F.I.R. but no specific overt act has been attributed against them. Further submission is that the quarrel took place in between Karu Paswan and Md. Arshad and petitioners being co-villagers rushed there but with ulterior motive they have been falsely been implicated in this case and petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 C.J.M., Biharsharif, in connection with Bihar P.S. Case No. 40 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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