

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19547 of 2018**

Arising Out of PS.Case No. -117 Year- 2017 Thana -MANPUR District- NALANDA  
(BIHARSHARIFF)

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1. Dayal Chauhan, S/o Ramrup Chauhan,  
2. Nande Chauhan, S/o Sita Ram Chauhan, Both are R/o Village-  
Bishunpur, P.S.- Manpur, District- Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Binit Kumar

For the Opposite Party/s : Mr. Sri Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

2      05-04-2018                      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with  
Manpur P.S. Case No. 117 of 2017 registered for the offences  
punishable under Sections 147, 148, 149, 448, 341, 323, 325, 307  
of the Indian Penal Code and section 27 of the Arms Act.

It is pointed out that petitioner no. 2 has already been  
arrested and so far as petitioner no. 1 is concerned, there is no  
specific allegation against him and moreover, there is case and  
counter case and land dispute between the parties.

It would appear from perusal of the first information  
report that according to the prosecution case, F.I.R named accused



including petitioners having formed unlawful assembly, entered the house of the informant and allegedly F.I.R named accused Raj Kiran shot fire at informant causing firearm injury on his abdomen.

In view of the aforesaid facts and circumstances, the prayer for anticipatory bail of the petitioner no. 2 namely, Nande Chauhan stands dismissed being infructuous and so far as prayer for anticipatory bail of the petitioner no. 1 namely, Dayal Chauhan is concerned, the same stands rejected.

However, petitioner no. 1 is directed to surrender before the court below within six weeks from today, and if he does so and seeks regular bail, the concerned court shall consider the regular bail application of the petitioner on its own merit without being prejudice by this rejection order.

**(Hemant Kumar Srivastava, J)**

N.K/-

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