

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13209 of 2018

Arising Out of PS.Case No. -399 Year- 2017 Thana -UDWANTNAGAR District- BHOJPUR

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1. Nishanku Singh,
2. Nishkalanki Singh,
3. Tridhanku Singh,
4. Niranjn Kumar Singh @ Niranjn Singh All are Sons of Late Devi
Dayal Singh, R/o Village- Pakariyawar, P.S.- Udawant Nagar , District-
Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 30-04-2018 The petitioners are apprehending their arrest in
connection with Udwanatnagar P.S. Case No. 399 of 2017,
registered for offences punishable under Sections 147, 148, 149,
341, 323, 504, 506 and 307 of the Indian Penal Code.

Allegation against the petitioner no. 1 is of firing causing
injury to one Pankaj Kumar and allegation against other
petitioners is of assault to the informant and others.

It has been submitted on behalf of the petitioners that out
and out false and fabricated allegation has been levelled against
the petitioners in the background of land dispute and the statement
of injured has been recorded before the police, in which he has not



stated about receiving any gun shot injury and he has stated that he received injury by some piercing object and further witnesses have also not supported the case of prosecution.

Heard learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for bail on the ground that injury caused to the injured clearly shows that it is a gun-shot injury.

Having heard both sides, so far petitioner no. 1, is concerned, considering the facts and circumstances of the case and nature of accusation, I am not inclined to grant the privilege of anticipatory bail to him rather he is directed to surrender and pray for regular bail, which will be considered by the court below on the merit of the case.

So far remaining petitioners are concerned, considering the fact that no specific allegation has been attributed to them, as such, let the petitioner nos. 2 to 4, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara, in connection with Udwantnagar P.S. Case No. 399 of 2017, subject



to the conditions as laid down under Section 438(2) of the Cr.P.C,
as well as subject to the following conditions, it is further subject
to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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