

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12065 of 2019**

Arising Out of PS. Case No.-232 Year-2018 Thana- KUMAR KHAND District- Madhepura

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1. Soheli Tanvir @ Chhotu, Son of Late Jainul Avadin, R/o village- Laxmipur Chandisthan, P.S- Kumarkhand, District- Madhepura
2. Md. Ibran, Son of Late Jamshed Alam, R/o village- Laxmipur Chandisthan, P.S- Kumarkhand, District- Madhepura
3. Mannu Kumar, Son of Raj Kishore Yadav, R/o village- Laxmipur Chandisthan, P.S- Kumarkhand, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

5      02-07-2019                      This is an application for grant of anticipatory bail in connection with Kumarkhan P.S. Case No. 232 of 2018, disclosing offences under Sections 147, 148, 149, 307, 504, 506 of IPC and Section 27 of the Arms Act.

Prosecution story as per written report is that while the informant was constructing the boundary wall from his own land, the petitioners and other accused persons appeared variously armed riding on the vehicles, stopped the labourers from doing construction work and also started hurling abuses. Further allegation is that petitioners no.1 & 3 fired on his father-in-law and his wife and also asked them to stop the construction work and there is also allegation that other accused persons also



made indiscriminate firing.

Submission of the learned counsel for the petitioners is that the allegation itself shows that nobody received injury and there is a land dispute between the parties.

Heard learned A.P.P. also, who opposed the prayer for bail on the ground that police has recovered seven empty cartridges from the place of occurrence and from there motorcycles and other vehicles were also recovered and there is specific allegation against the petitioners no.1 &3.

Having heard both sides, in view of the facts and circumstances, as stated above, so far as, petitioners no.1&3 are concerned, I am not inclined to grant privilege of anticipatory bail to them.

So far as, petitioner no.2 is concerned, let the petitioner no.2, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Sub Divisional Judicial Magistrate, Madhepura, in connection with Kumarkhand P.S. Case No.232 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.



With the aforesaid, this application is disposed of.

**(Vinod Kumar Sinha, J)**

Sunil Shukla/-

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