

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16132 of 2019

Arising Out of PS. Case No.-383 Year-2018 Thana- HILSA District- Nalanda

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1. Bhonu Yadav, Son of Hiralal Yadav, Resident of Village - Nadbar, P.S.- Hilsa, Distt - Nalanda.
 2. Sanjeevan Yadav, Son of Hiralal Yadav, Resident of Village - Nadbar, P.S.- Hilsa, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149 and 307 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the written report of Jai Prakash Narayan, dated 13.07.2018, submitted to the Station House Officer, Hilsa Police Station, is to the effect that some panchayati was going on, in the meantime, all the 7 F.I.R. named accused including the petitioners came variously armed and indiscriminately resorted to fire, as a result, one of the panches, Ajay Kumar received gunshot injury, when firing made



by co-accused Ramashish Yadav hit on the neck of the uncle of the informant, Lalan Prasad.

It is submitted by learned counsel for the petitioners that specific accusation of firing has not been made against the petitioners. Accusation against the petitioners is omnibus and general. It is further submitted that there is counter version of the occurrence also being, Hilsa P.S. Case No. 384 of 2018, lodged by the petitioners' side against the informant's side for the offences punishable under Sections 147, 148, 149 and 307 of the IPC and Section 27 of the Arms Act.

Learned APP submits that the petitioners are named in the F.I.R. with specific accusation.

Considering the genesis of occurrence being land dispute, counter version of the occurrence and the fact that there is no specific accusation of firing being levelled against the petitioners, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M.-I, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 383 of 2018, subject to the condition as laid down



under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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