

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15585 of 2019

Arising Out of PS. Case No.-454 Year-2018 Thana- HILSA District- Nalanda

1. Uma Shankar Son of Late Karu Prasad, Resident of Village-Makhdumpur, P.S.-Hilsa, District-Nalanda
2. Dharampal Kumar Son of Uma Shankar @ Uma Shankar Yadav, Resident of Village-Makhdumpur P.S.-Hilsa, District-Nalanda
3. Awadh Yadav @ Abadhesh Prasad Son of Late Karu Prasad, Resident of Village-Makhdumpur, P.S.-Hilsa, District-Nalanda
4. Tanikan Yadav @ Tanikan Gope Son of Tara Chand Yadav, Resident of Village-Badoa, P.S.-Hilsa, District-Nalanda
5. Ramashish Gope Son of Late Bhagwan Das, Resident of Village-Nagama, P.S.-Hilsa, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 307, 354(B), 379, 109, 506 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in brief, is that while the informant was getting planted paddy, the accused persons reached there and started firing. While the informant and his family members tried to flee away, the accused persons surrounded them and on



the order of the petitioner, the other accused persons fired upon the informant while other accused persons assaulted wife of the informant.

It has been submitted on behalf of the petitioners that the petitioner Nos. 2, 3 & 5 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. There is case and counter case between the parties. The petitioner No. 1 is alleged to have fired upon Om Prakash Yadav (informant). As per injury report, the injury is said to have been caused by hard and blunt substance. The nature of injury is said to be simple. The allegation made in the FIR is not corroborated by the medical evidence.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Hilsa, Nalanda in connection with



Hilsa P.S. Case No. 454 of 2018, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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