

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25092 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- NARDIGANJ District- Nawada

1. NITISH KUMAR Son of Shivnandan Yadav Resident of Village-Kesauriya, P.S-Nardiganj, District-Nawada.
2. Mahesh Kumar Son of Shivnandan Yadav Resident of Village-Kesauriya, P.S-Nardiganj, District-Nawada.
3. Amresh Kumar Son of Shiv Balak Yadav Resident of Village-Kesauriya, P.S-Nardiganj, District-Nawada.
4. Satish Kumar Son of Rambilash Yadav Resident of Village-Kesauriya, P.S-Nardiganj, District-Nawada.
5. Shivalak Yadav @ Shiv Balak Yadav Son of Late Dukhi Yadav Resident of Village-Kesauriya, P.S-Nardiganj, District-Nawada.
6. Shivnandan Yadav Son of Late Dukhi Yadav Resident of Village-Kesauriya, P.S-Nardiganj, District-Nawada.
7. Rambilash Yadav Son of Late Dukhi Yadav Resident of Village-Kesauriya, P.S-Nardiganj, District-Nawada.
8. Dinesh Kumar Son of Shiv Balak Yadav Resident of Village-Kesauriya, P.S-Nardiganj, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Deepak Kumar
For the Opposite Party/s	:	Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-07-2019 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners in the present case are seeking anticipatory
bail in connection with Nardiganj P.S. Case No.27 of 2019
registered for the offence punishable under Sections 147, 149,
341, 323, 337 and 504 of the Indian Penal Code and Section 27



of the Arms Act.

Learned counsel for the petitioners submits that the petitioners and the informant are co-villagers. There is a case and counter case and in the counter case also it is an admitted position that a land dispute is going on between the parties being Title Suit No.63 of 2005. As per FIR though these petitioners are named and the allegation is that they had come to the place of the informant fired from their fire arms and surrounded the house of the informant, there is no allegation of causing fire arm injury against anybody. It is alleged that the daughter-in-law of the informant Kumari Ranjana Devi had got an injury from stone but who had thrown the stone is also not known.

It is submitted that these petitioners are accused in a case which was also lodged by the informant's side because of a land dispute and in the said case the petitioners are on bail.

It is submitted that in the counter case, a learned coordinate Bench of this Court has granted anticipatory bail to the accused of the said case vide order dated 03.04.2019 passed in Cr.Misc.No.19698 of 2019, a copy of which has been produced before this Court.

Learned APP for the State has opposed the prayer,



however, in course of hearing it is stated that in the case diary it has come that the daughter-in-law of the informant got stone injury. Nobody else received any fire arm injury in the alleged occurrence is not denied.

In the given facts and circumstances of the case finding that no fire arm injury has been caused to any person in the alleged occurrence and that the parties are litigating because of a land dispute, there is a case and counter case, let the petitioners above named, in case of their arrest or surrender within four weeks from today in connection with Nardiganj P.S. Case No.27 of 2019, be released on bail on execution of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Nawada, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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