

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27337 of 2019

Arising Out of PS. Case No.-85 Year-2018 Thana- DHANKUND District- Banka

1. DEEPAK KUMAR, aged about 21 years, Male, S/o Guna Singh, R/o village- Tebachak, P.S.- Dhoraiya, District- Banka
2. Fucchi Singh @ Gaurab Kumar, aged about 23 years, Male, S/o Saidi Singh @ Sadanand Singh R/o village- Tebachak, P.S.- Dhoraiya, District- Banka
... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Shree Niwas Singh, Adv.
For the Opposite Party : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 08-08-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Dhankund P.S. Case No. 85 of 2018 (G.R. No. 2948 of 2018) for the offences alleged under Sections 147, 148, 341, 323, 379, 385, 504 and 506 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that in the evening of 18.08.2018, the informant, Sant Lal Yadav, was coming from his field taking leaf, seven persons named in the first information report, in drunken stage, started to abuse him making complaint that he has cultivated the land in their village and made demand of Rs.25,000/- as ransom for doing the cultivation in their village.



When the informant made request not to abuse, then, Ashish Kumar fired through pistol, but, he saved himself and fled away towards village and entered in the house of another person, but, they chased him and entered in his house and started abusing the inmates of the house. At that time, Sintu Kumar and Fucchi Singh (petitioner no. 2) fired and moved from there asking the family members to send the informant with Rs.25,000/- otherwise the family members will be killed. Petitioner no. 1 took away cash of Rs.6,000/-.

Learned counsel appearing for the petitioners submits that in fact village of the petitioners and the informant are adjacent to each other and due to dirty village politics the petitioners have been implicated in this case. More over, the allegation has been made to open fire on the informant in his house, but, no one has sustained injury. Petitioners have no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Dhankund P.S. Case No. 85 of 2018 (G.R. No.



2948 of 2018) shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Banka, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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