

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35378 of 2019

Arising Out of PS. Case No.-101 Year-2019 Thana- ARA MUFFSIL District- Bhojpur

1. Hiralal Dubey, Male, aged about 68 years, Son of Late Ramakant Dubey, Resident of Village - Sarangpur, P.s.- Ara Muffasil, Dsit.- Bhojpur.
2. Rabindra Dubey, Male, aged about 35 years, Son of Kamlakant Dubey, Resident of Village - Sarangpur, P.s.- Ara Muffasil, Dsit.- Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Ramanuj Tiwary, Advocate.
For the State	:	Mr. Binod Kumar, A.P.P.
For the Informant	:	M/S. Prashant Kumar Singh and Ganesh Prasad Singh, Advocates.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-09-2019 Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel for the State.

The petitioners seek bail in a case for the offence registered under Sections 147, 341, 323, 307, 504 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 24.03.2019 at 9.30 hours, petitioners and others with Lathi-Danda and pistol in their hands came to the land of the informant in which he put *Khoota* and started to pull out the same. When he raised objection, the accused abused him. In the meantime, Ravindra Dubey (petitioner no. 2) fired on him causing left hand injury. When his brother Jailendra Dubey and Bhabhi Sandhya Devi



came, co-accused Manish Kumar Dubey fired on Jailendra Dubey causing stomach injury and Hiralal Dubey (petitioner no. 1) fired with pistol at Sandhya Devi causing right leg injury. The injured were admitted in Sadar Hospital, Ara and Jailendra Dubey was referred to P.M.C.H. for better treatment. The behind of occurrence is due to civil dispute.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 25.03.2019. The petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. Injury has been caused by both petitioners on two different persons. There is an admitted land dispute between the parties. Title Suit is also pending between the parties. Prior to institution of the present case, a complaint case was also filed by the accused side against the informant and others. Injuries are said to be on non-vital part of the body. A single fire shot is said to have been made by both petitioners. No repetition has been made by the petitioners.

On behalf of the State and informant, it is submitted that the petitioners are named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Arrah, in connection with Arrah Muffasil P.S. Case No. 101 of 2019.

(Sudhir Singh, J)

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