

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42354 of 2019

Arising Out of PS. Case No.-313 Year-2018 Thana- FATEHPUR District- Gaya

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1. KAPIL CHAUHAN @ KAPIL JAMADAR
 2. Nandu Chauhan @ Ramanand Jamadar S/o Ramaswaroop Jamadar
Both are sons of Ramaswaroop Jamadar, resident of village- Meyari Tola,
Gulejar Bigha, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-07-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Fatehpur P.S. Case No. 313 of 2018, registered for offences punishable under Sections 147, 148, 149, 504, 427, 307 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution story as per the fardbeyan is that the petitioner and other accused persons came to the shop of the informant variously armed and started abusing and on protest the co-accused persons made firing causing injury to Binod Yadav, Bhushan Yadav and Ajit Yadav. FIR discloses that the dispute arose with respect to fencing of the boundary by the informant.



Submission of the learned counsel for the petitioners is that FIR itself shows that there is land dispute between the parties and no specific allegation of assault has been attributed against any of the petitioners

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned I/C ACJM X, Gaya in connection with Fatehpur P.S.case No.313 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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