

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47792 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- PHULWARIYA District- Gopalganj

SHIVAM RAI, Son of Manoj Rai Resident of Village-Banshi Batraha, P.S-
Fulwaria, District-Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anita Kumari

For the Opposite Party/s : Mrs.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-08-2019 The petitioner apprehends his arrest in connection with

Fulwaria P.S.Case No. 50 of 2019 registered under Sections

307, 325, 342, 447, 504 and 506/34 of the Indian Penal Code

and 27 of the Arms Act.

Allegation against the petitioner is that petitioner along
with other accused persons surrounded the nephew of the
informant Chandan Rai and one of the accused persons namely
Manoj Rai fired upon Chandan Rai which hit near his stomach.

Learned counsel for the petitioner submits that both
parties are co-villager and there is admitted land dispute
between them. He further submits that there is case and counter
case in between the parties inasmuch as petitioner has also
lodged Fulwaria P.S.Case No. 47 of 2019 against the side of the
prosecution for the same incident. Learned counsel further



submits that there is no specific allegation against the petitioner and the allegation of firing is upon Manoj Rai and all accused persons are family members.

After having heard learned counsel for the parties and taking into consideration the fact that no specific allegation of firing is against the petitioner and further both parties belong to same village and there is land dispute between them, as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned ACJM-13, Gopalganj in connection with Fulwaria P.S. Case No. 50 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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