

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52588 of 2019

Arising Out of PS. Case No.-277 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

-
1. HARI SHANKAR JHA Son of Late Ramakant Jha
 2. Gaurav Kumar Son of Hari Shankar Jha
 3. Gautam Kumar Son of Hari Shankar Jha
 4. Rahul Kumar @ Rahul Kumar Jha Son of Hari Shankar Jha
All of Resident of Village - Lodipur Sahpur, P.S. - Muffasil, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-08-2019 At the very outset, learned counsel for the petitioners seeks permission to withdraw this application against petitioner no. 3 namely Gautam Kumar.

Permission is granted. This application, against petitioner no. 3, is dismissed as withdraw.

In so far as petitioner nos. 1,2 and 4 are concerned, they apprehend their arrest in connection with Muffasil P.S.Case No. 277 of 2019 registered under Sections 307, 504 and 506/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioners is that petitioners assembled near the house of the informant having arms in their



hands and started firing in order to threaten and kill the informant. It has further been alleged that firing made by petitioners did not cause any injury to anyone.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to previous dispute and both parties are neighbour. He submits that earlier also, a case bearing Muffasil P.S.Case No. 240 of 2019 was filed by the side of the petitioners and Muffasil P.S.Case No. 239 of 2019 was filed by the side of the informant and in Muffasil P.S.Case No. 239 of 2019, the side of the petitioners was granted surrender bail immediately whereas side of the informant was sent to jail in Muffasil P.S.Case No. 240 of 2019, which got the side of the informant enraged as such they have falsely implicated the petitioners making allegation of firing in the present case.

After having heard learned counsel for the parties and taking into consideration the fact that both parties are neighbours and there is previous enmity between them and further nobody has got injury due to alleged firing made by petitioners and no incriminating materials have been recovered from the possessions of the petitioners, as such I am inclined to grant anticipatory bail to the petitioner no. 1, 2 and 4. Let the



petitioner nos. 1, 2 and 4, 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/- each with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai in connection with Muffasil P.S.Case No. 277 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

U		T	
---	--	---	--

