

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79861 of 2019**

Arising Out of PS. Case No.-58 Year-2019 Thana- BACHHWARA District- Begusarai

1. SANTOSH KUMAR ISHWAR @ SANTOSH KUMAR @ SANTOSH ISHWAR Son of Rajendra Ishwar Resident of Begusarai Maranchi Kalan, P.S.-Bachhwara, District-Begusarai.
2. Shivendra Kumar Ishwar @ Shivendra Ishwar Son of Baleshwar Ishwar Near Mandir, Ward-6, Maranchi Khurd, Begusarai, Maranchi Kalan, P.S.-Bachhwara, District-Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vinod Gautam

For the Opposite Party/s : Mr.Amitesh Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 16-12-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Bachhwara P.S. Case No. 58/2019 registered under Sections 147, 149, 323, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of learned Chief Judicial Magistrate, Begusarai.

Learned counsel for the petitioners submits that these petitioners have falsely been implicated in this case, there is land dispute between the parties and from the reading of the F.I.R. it appears that no fire-arm injury has been caused to the informant, however petitioners have got no criminal antecedent.



Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein there are allegations against these petitioners that they had fired but it appears from reading of the F.I.R. that no fire-arm injury has been caused to the informant and further allegation that the informant has received injury on his shoulder, but it is not evident from a reading of the F.I.R. as to who had caused the said butt injury and further contention of learned counsel for the petitioners that the injuries alleged are simple in nature caused by hard blunt substances, this court while not feeling inclined to grant the privilege of anticipatory bail to the petitioners directs that in case the petitioners surrender and pray for regular bail within four weeks from today, court below shall consider the aforesaid submission of the petitioners and take an appropriate view of the matter on perusal of the records.

The application stands disposed off.

(Rajeev Ranjan Prasad, J)

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