

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7923 of 2020

Arising Out of PS. Case No.-407 Year-2019 Thana- CHANDI District- Nalanda

1. ANIL RAM S/o Late Nanhaku Ram Resident of Village- Rajabad, P.S.- Chandi, Distt- Nalanda.
2. Krishna Ram @ Krishn Ram S/o Late Gulten Ram Resident of Village- Rajabad, P.S.- Chandi, Distt- Nalanda.
3. Bodhi Ram S/o Late Gulten Ram Resident of Village- Rajabad, P.S.- Chandi, Distt- Nalanda.
4. Manish Ram S/o Abhisharan @ Jhagaru Ram Resident of Village- Rajabad, P.S.- Chandi, Distt- Nalanda.
5. Dipu Ram @ Dipu Kumar S/o Anil Ram Resident of Village- Rajabad, P.S.- Chandi, Distt- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Shri Amir Alam, learned counsel for the informant and Shri Sanjay Kumar, learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chandi P.S. Case No. 407 of 2019 for the offence registered under Sections 147, 148, 149, 307, 341, 323, 504 and 506 of



the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution in brief is that on 05.11.2019 at about 8:30 P.M., the accused persons including the petitioners herein had come to the house of the informant with fire arm on 05.11.2019 at about 8:30 p.m. and had started abusing the informant and his family members as also had told him not to irrigate his field from the pond in question and on protest, the accused persons had fired on the informant and his family members.

The learned counsel for the petitioner has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. It is further submitted that neither the informant nor his family members have received any gun shots injury and the present case has been concocted on account of previous enmity.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the leaned counsel for the petitioners as also taking into account the fact that it is the case of the petitioners that none from the prosecution side have received gun shots injury, I deem it fit and proper to admit the



petitioners to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Hilsa, Nalanda in connection with Chandi P.S. Case No. 407 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure and further subject to verification by the learned trial court as to whether the informant or his family members have or have not received gun shots injury.

(Mohit Kumar Shah, J)

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