

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11687 of 2020

Arising Out of PS. Case No.-259 Year-2019 Thana- SOHSARAI District- Nalanda

1. USHA DEVI Wife of Nandu Paswan Resident of Mohalla - Ashanagar, P.S.- Sohsarai, District - Nalanda
2. Nandu Paswan Son of Late Kishun Paswan Resident of Mohalla - Ashanagar, P.S.- Sohsarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-08-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Sohsarai P.S. Case No. 259 of 2019, registered for the offences punishable under Sections 147, 149, 448 and 307 of the Indian Penal Code and section 27 of the Arms Act.

Prosecution case in brief is that on 27.09.2019 at 6.30 pm, while the informant's brother was at his grocery shop, petitioners and three named accused persons along with two



unknown came there and asked for 2 Kg flour and in course of giving flour, co-accused Nitish Kumar fired upon his brother which hit his abdomen due to which he sustained injury and fell down and when he tried to flee away, another co-accused Jindal Ravidas started indiscriminate firing from his pistol. On hearing sound of firing, informant's family came out of their house and saw that the accused persons fled away on their motorcycles. Later on, the brother of informant died during course of treatment.

It is submitted that petitioners have been falsely implicated in this case. Petitioners are not named in the FIR. Petitioners have been made accused in this case simply because they are parents of co-accused Nandan Paswan. There is no specific allegation against these petitioners. Petitioners have got clean antecedent.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Biharsharif,



Nalanda in connection with Sohsarai P.S. Case No. 259 of 2019,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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