

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13238 of 2020

Arising Out of PS. Case No.-544 Year-2019 Thana- BANKA District- Banka

1. Anil Yadav @ Anil Kumar Son of Gulabi Yadav Resident of Village- Kakaria, P.S.- Barahat, District- Banka.
2. Abdhesh Chouhan @ Awadhesh Chouhan Son of Basudeo Chauhan Resident of Village- Telhanda, P.S.- Dhoraiya, District- Banka.
3. Amit Jha @ Amit Kumar Jha Son of Hira Kant Jha Resident of Mandar Kakaria, P.S.- Barahat, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajib Ranjan Jha

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-03-2020 The petitioners seek bail in connection with Banka P.S. Case No. 544 of 2019(G.R. No. 2186 of 2019) instituted for the offences under Sections 147, 148, 149, 323, 324, 307, 504, 342, 341 of the Indian Penal Code, Section 27 of the Arms Act and Section 3 /4 of the Explosive Substances Act, 1908.

With respect to a dispute over a plot of land, an occurrence took place in which the accused persons are alleged to have resorted to firing. The police party is also alleged to have arrived and the petitioners were nabbed.



The learned counsel for the petitioners submits that the allegation under Section 307 I.P.C is only for the purposes of giving a serious colour to the case. Nobody has been injured in the occurrence and the land belongs to the petitioners.

It has further been submitted that with respect to the same occurrence, another case under the Arms Act was lodged against the petitioners in which they have been granted bail.

The petitioners are in custody since 03.08.2019.

Considering the aforestated facts viz. period of custody of the petitioners and there being a dispute with respect to a plot of land over which there are competing claims of the parties, the petitioners, above named, are directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousands) each with sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S.



Case No. 544 of 2019, G.R. No. 2186 of 2019.

Shageer/-

(Ashutosh Kumar, J)

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