

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13118 of 2020

Arising Out of PS. Case No.-163 Year-2019 Thana- BELDOUR District- Khagaria

1. Prakash Singh, S/o Late Lakhan Singh, R/o village- Telihar, P.S.- Beldaur, District- Khagaria
2. Bechan Singh, S/o Bateshwar Singh, R/o village- Telihar, P.S.- Beldaur, District- Khagaria
3. Pawan Singh, S/o Late Adhik Singh, R/o village- Telihar, P.S.- Beldaur, District- Khagaria
4. Pandav Sah, S/o Vindeshwari Sah, R/o village- Telihar, P.S.- Beldaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate.

For the Opposite Party/s : Mr.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 13-08-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Beldaur P.S. Case No. 163 of 2019, registered under Section 447/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that at about 12 O' clock, in the night of 12.08.2019, all petitioners came at the door of the informant and started to make indiscriminate firing. On hearing the sound of firing, informant, Prakash Singh, came out from



the house then saw that all petitioners were armed with three nutt gun and indulging in making firing. At that time, they also told to withdraw the case lodged by Ajit Singh.

Learned counsel for the petitioners submits that, in fact, Pawan Singh (petitioner no.3) is own brother of the informant and other petitioners are Gotia and due to land dispute informant managed to lodged the Beldaur P.S. Case No. 162 of 2019 for the offence under Sections 341, 323, 379, 504 and 506/34 of the Indian Penal Code against petitioner nos. 1 and 2, Pawan Singh and Bechan Singh and the present case has also been lodged by the informant only to give undue pressure to the effect that petitioner no. 3 and others may not claim about the disputed land. Further submission is that it would appear from the FIR that while indiscriminate firing is said to be made by the petitioners but none had sustained injury.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 the learned Judicial Magistrate Ist Class, Khagaria, in connection with Beldaur P.S.



Case No. 163 of 2019, subject to the condition as laid down
under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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