

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25115 of 2020**

Arising Out of PS. Case No.-99 Year-2020 Thana- HILSA District- Nalanda

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1. BIPIN KUMAR Son of Dharmendra Kumar Resident of Village- Kaushik Nagar, P.S.- Hilsa, District- Nalanda.
  2. Dharmendra Kumar Son of Late Brijnandan Prasad Resident of Village- Kaushik Nagar, P.S.- Hilsa, District- Nalanda.
  3. Munki Devi Wife of Dharmendra Kumar Resident of Village- Kaushik Nagar, P.S.- Hilsa, District- Nalanda.
  4. Raj Kumr Yadav S/o Sevi Yadav Resident of village- Kolhar, P.S.- Fatuha, District- Patna.
  5. Niraj Kumar @ Niraj Kumar Singh Son of Raj Kumar Yadav Resident of Village- Kolhar, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Lovekush Kumar  
For the Opposite Party/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      16-10-2020                      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 Hilsa P.S.  
  
Case No. 99 of 2020, registered for the offences punishable  
under Sections 341, 323, 504, 379, 307 and 34 of the Indian  
Penal Code and section 27 of the Arms Act.



Prosecution case in brief is that on 04.03.2020 at 6.00 am while the informant was sitting at his door, all the accused persons including these petitioners variously armed came there and started firing. Petitioner no. 1 and co-accused Navin Kumar are alleged to have assaulted the informant with lathi causing head injury and injury on his hand. When the informant's wife came to save him, petitioner no. 3 throw her down by catching her hair.

It is submitted that petitioners have been falsely implicated in this case. There is general and omnibus allegation. Both parties are Gotia. Admittedly, there is land dispute between the parties. Petitioner have got clean antecedent as stated in para 3 of the petition.

Learned APP vehemently opposed the prayer for bail and submitted that there is specific allegation against petitioner no. 1 of assaulting the informant with lathi.

So far as petitioner no. 1 is concerned, there is specific allegation against him, therefore, I am not inclined to enlarge petitioner no. 1 on anticipatory bail. Accordingly, the same is rejected.

Considering the facts aforesaid, the petitioners no. 2, 3, 4 and 5 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 Additional Chief Judicial Magistrate Ist, Hilsa (Nalanda) in connection with Hilsa P.S. Case No. 99 of 2020, 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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