

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41216 of 2021

Arising Out of PS. Case No.-50 Year-2021 Thana- KARJAIN District- Supaul

1. SUMITRA DEVI W/o Chedi Choudhary Resident of Village - Fakirana, Post- Motipur, Ward No.9, Motipur, P.S.- Karjain, Distt.- Supaul.
2. CHEDI CHOUDHARY Son of Late Badami Choudhary Resident of Village - Fakirana, Post- Motipur, Ward No.9, Motipur, P.S.- Karjain, Distt.- Supaul.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate. Mr. Ram Prawesh Kumar, Advocate. Mr. Madhumay Mashup, Advocate. Mr. Mantosh Kumar, Advocate.
For the Opposite Party/s	:	Mrs. Veena Rani Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-08-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in a case registered for the offence punishable under Sections 147, 148, 149, 307, 341, 504 & 506/34 of the Indian Penal Code and Section 27 of the Arms Act.



While the petitioners in association of his family members were erecting wall on the land of the informant's brother-in-law, the informant's husband and son forbade them not to do so as the land dispute has not been settled, the accused persons started abusing the husband and son of the informant. The allegation against petitioner no.1 is that he gave a pistol to Abhishek Kumar and petitioner no.2 gave pistol to Shankar Jaiswal and everyone started resorting firing indiscriminately due to which informant's husband and son sustained gun shot injury.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They are quite innocent and have been falsely implicated in this case due to land dispute. No incriminating article has been recovered from their conscious physical possession. It is further submitted that the petitioners are old age persons who were not even present at the place of the occurrence rather they were taking rest in their house. It is also submitted that petitioner no.1 is 65 years old lady suffering from diabetes, whereas petitioner no.2 is 72 years old person and is suffering from Asthma. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioners have no criminal



antecedent and have been languishing in custody since 12.04.2021.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Karjain P.S. Case No.50 of 2021.

(Anjani Kumar Sharan, J)

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