

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35369 of 2020

Arising Out of PS. Case No.-114 Year-2020 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

-
1. KUNDAN KUMAR, S/o Manoj Kumar R/o village- Jethui, P.S.- Industrial Area, District- Vaishali
 2. DILIP RAI @ DILIP KUMAR, S/o Laldeo Rai R/o village- Jethui, P.S.- Industrial Area, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Adcoate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 03-02-2021 Heard Mr. Amit Kumar Jha, learned Counsel for the

petitioners and Mr. Parmeshwar Mehta, learned Additional

Public Prosecutor for the State.

This application, for grant of regular bail, arises out
of Industrial Area Police Station Case No. 114 of 2020,
disclosing offences under Sections 147, 148, 341, 323, 324, 307,
504, 506 of Indian Penal Code and Section 27 of the Arms Act.

The allegation, as per the First Information Report
is that the petitioners assaulted the informant and his family
members by means of lathi, danda etc and other accused persons
fired upon Rahul Kumar and Sunil Kumar, who sustained fire
arm injury.



Learned counsel for the petitioners submits that both the parties are agnates and there is land dispute between them. Learned counsel next submits that the allegation against the petitioners is general and omnibus and the injury report of the victim does not indicate any injury caused by hard and blunt substance. Learned counsel next submits that the co-accused against whom there is allegation of assault by fire arms has been granted bail by this Court in Cr. Misc. No.35155 of 2020

On the other hand, learned counsel for the State, referring to the case diary, submits that one of the injuries sustained by the victim is fire arm injury and regarding another injury, the opinion of the doctor has been reserved.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that both the parties are agnates and one of the co-accused has been granted bail by this Court and the petitioners are in custody since 12.08.2020, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioner No.1, Kundan Kumar and petitioner No.2, Dilip Rai alias Dilip Kumar, be released 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



learned Chief Judicial Magistrate, Vaishali, in connection with
Industrial Area Police Station Case No. 114 of 2020.

(Anil Kumar Sinha, J.)

sanjeev/-

U		T	
---	--	---	--

