

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1083 of 2021

Arising Out of PS. Case No.-199 Year-2020 Thana- MAHNAR District- Vaishali

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1. RAVI PRAKASH JAISWAL @ RAVI JAISWAL SON OF RAJ KUMAR CHOUDHARY RESIDENT OF VILLAGE-LAWAPUR HARNARAYAN, P.S.- MAHNAR, DISTRICT- VAISHALI AT HAJIPUR
 2. SHASHI JAISWAL @ SHASHI KUMAR CHOUDHARI SON OF RAJ KUMAR CHOUDHARY RESIDENT OF VILLAGE-LAWAPUR HARNARAYAN, P.S.- MAHNAR, DISTRICT- VAISHALI AT HAJIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 27-08-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 02.01.2021, within four weeks of starting of Court proceeding in physical mode in normal course.

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 Mahnar P.S. Case no. 199 of 2020, registered under Sections 447, 448, 323, 341, 324, 325, 307, 504 and 427/34 of the Indian Penal Code and Section 27 of the Arms Act.



The accusation is that on 02.07.2020 at about 11.00 P.M. the informant Gita Devi was sleeping in her house, at that time, Raj Kumar choudhary, Ravi Prakash Jaiswal (Petitioner No.1) along with 4-5 unknown, who could not be identified by her due to darkness, entered in her house by breaking door and started to abuse and scuffle. On hearing hulla, when her sons Sujit Kumar and Ajit Kumar rushed then they were also assaulted by them. At that time, petitioner No.1 Ravi Prakash Jaiswal made firing through pistol and he also damaged the household articles and asbestos of the house. At that time, they also gave threatening in case of lodging of F.I.R. At that time, Shashi Jaiswal (Petitioner No.2) also came and caused injury through rod at her leg.

Learned counsel for the petitioners submits that due to petty dispute hot talks and scuffle took place in which petitioners' side also sustained injury regarding which Mahnar P.S. Case No. 204 of 2020 was also instituted under Sections 341, 323, 504, 506, 427 and 379/34 of the Indian Penal Code against the family members of the informant. The petitioners have no criminal antecedent.

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 four 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 199 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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