

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3257 of 2022

Arising Out of PS. Case No.-513 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

-
1. Bhushan Prasad Son of Late Bira Mahto Resident of Village - Gorhwa, P.S.- Muffasil (Motihari), District - Motihari (East Champaran).
 2. Badal Prasad @ Badal Kumar Son of Bhushan Prasad Resident of Village - Gorhwa, P.S.- Muffasil (Motihari), District - Motihari (East Champaran).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-07-2022 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in Muffasil
Motihari P.S. Case No. 513 of 2021, registered for the offences
punishable under Sections 307, 504, 506 and 34 of the Indian
Penal Code and section 27 of the Arms Act.

As per the FIR, petitioner no. 1 is alleged to be the
order giver and petitioner no. 2 is said to have caused firearm
injury to the informant.

It is submitted that petitioners have been falsely
implicated in this case due to land dispute between the parties.
There is general and omnibus allegation. Informant has



sustained injury on his knee which is not vital part of the body.
Petitioners claims clean antecedent.

Considering the fact that there is specific allegation of firing against Badal Prasad @ Badal Kumar petitioner no. 2 upon the informant, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

So far as, petitioner no. 1 is concerned, he is only alleged to be the order giver.

Considering the facts aforesaid, Bhushan Prasad petitioner no. 1, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Motihari, East Champaran in connection with Motihari Muffasil P.S. Case No. 513 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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

