

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7218 of 2020

Arising Out of PS. Case No.-544 Year-2019 Thana- BANKA District- Banka

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1. Rajendra Roy S/o Late Baldeo Roy Resident of Village- Kharba, P.S.- Barahat, Distt- Banka
 2. Binod Yadav S/o Late Lutan Yadav Resident of Village- Ambatikar, P.S.- Barahat, Distt- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-01-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through the virtual court proceeding.

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

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 324, 307, 504, 342, 341 of the Indian Penal Code, Section 27 of the Arms Act and Section ¾ of the Explosive Substance Act.

Prosecution case is that on 03.08.2019 for the purpose



of grabbing land, two parties have gathered for committing occurrence, informant along with other police officials went at the place of occurrence and saw that from both sides many persons were abusing at each other armed with weapons. It is further stated that they were also firing shots in the area and pelting bomb.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case due to dirty politics of the village. He submits that petitioners were neither present at the place of occurrence nor anything has been recovered from their possession. He submits that there is land dispute between the parties. He submits that the injury found on the victim is simple in nature. He further submits that petitioners have criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is civil dispute between the parties, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 Banka (Barahat) P.S. Case No. 544 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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