

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25679 of 2021**

Arising Out of PS. Case No.-24 Year-2021 Thana- KATIHAR NAGAR District- Katihar

PANKAJ RAI @ AKASHDEEP BIDROHI SON OF LATE SAHDEO RAI
R/O VILLAGE/MOHALLA- SIKKAI, P.S.- BARARI, DISTRICT-
KATIHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 26-05-2022 Heard Mr. Mukesh Kumar, learned Advocate for the
petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Katihar Nagar (Sahayak) P.S. Case No. 24 of 2021 dated 11.01.2021 instituted for the offences under Sections 147, 148, 341, 323, 427, 457, 379, 504, 506 and 354 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation in the FIR is that the petitioner and about 40 unknown persons came to the house of the informant for the purposes of committing dacoity and took away articles and cash worth Rs. 1 lakh.

The petitioner is alleged to have opened fire indiscriminately but in air. Five empty cartridges were produced by the informant before the police for institution of the subject



FIR.

Learned Counsel for the petitioner has submitted that nobody has been injured in the occurrence which fact would become apparent from the averments made in the FIR. He further submits that his sister had earlier filed a case against the informant of the present case vide Katihar Nagar (Sahayak) P.S. Case No. 25 of 2021, in which the sister of the informant and others had been seriously injured.

From the averments made in the FIR and its counter version, it appears that there is a land dispute in view of the rival claims of the parties over the said plot of land.

Considering the fact that nobody has been injured in the occurrence and there is a counter version of the case lodged by the sister of the petitioner, who herself has been injured, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Katihar Nagar (Sahayak) P.S. Case No. 24 of 2021, subject to the conditions as laid down under Section



438(2) Cr.P.C.

(Ashutosh Kumar, J)

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