

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43782 of 2022

Arising Out of PS. Case No.-261 Year-2021 Thana- SIKARPUR District- West Champaran

1. Vishal Shukla @ Divyam Kumar Shukla Son Of Baleshwar Shukla Resident Of Village - Pipra Murli, P.S.- Shikarpur, Distt.- West Champaran.
2. Jai Prakash Soni @ Jaiprakash Kumar Sonof Suresh Prasad Resident Of Village - Ward No.4, Narkatiyaganj Mujauna, Anjua, P.S.- Shikarpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2022 Learned counsel for the petitioners does not want to press the bail application with regard to petitioner no. 2.

Accordingly, this application is dismissed as not pressed with regard to petitioner no. 2

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State for consideration of bail with regard to petitioner no. 1.

Learned counsel for the petitioner 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 petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323,



307, 387, 429, 504, 34 468, 471 of the Indian Penal Code and Section 25(1-b)a, 26, 27 of the Arms Act.

Petitioner along with other accused person are said to have come on two motorcycles near the brick kiln and started abusing the informant and with intention to kill him, all the accused persons fired with pistol but informant saved himself.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to land dispute. He submits that there is no specific allegation upon the petitioner to demand of extortion. He submits that the allegation of causing injury to buffalo is neither attributed nor the same has any substance or having any medical proof. As a matter of fact, on 03.07.2020, the petitioner beside one Bihari Yadav got a sale deed executed with respect to a piece of land measuring 1 katha 8 dhurs from one Jitendra Kumar vide sale deed no. 8916 and subsequent to execution of sale deed in favour of petitioner one Ranjeet Kumar Verma got a land purchased measuring 4 katha 18 decimal in the name of his brother-in-law from Rubi Devi second wife of the aforesaid Jitendra Kumar and the aforesaid 4 katha 18 decimal land includes the land of the petitioner too. Thereafter, just to grab the petitioner's land, the aforesaid Ranjit Kumar Verma set up



the present informant who even as per the FIR appears to be his employer and he went to the police station to lodge the FIR along with aforesaid Ranjit Kumar Verma. He further submits that petitioner has criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his 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) 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 Shikarpur P.S. Case No. 261 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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