

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66534 of 2021

Arising Out of PS. Case No.-197 Year-2020 Thana- PARWALPUR District- Nalanda

1. Fekan Mahto Son Of Late Jangali Rauat Resident Of Village - Panchshil Nagar, Harnaut, P.S.- Harnaut, Distt.- Nalanda.
2. Rita Devi W/o Fekan Mahto Resident of Village - Panchshil Nagar, Harnaut, P.S.- Harnaut, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niraj Kumar

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-08-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 147, 148, 149, 341, 323, 302, 307, 504, 506

of the Indian Penal Code and Section 27 of the Arms

Act.

The prosecution case as per F.I.R is that when

the informant was at his home with his family, these

petitioners along with other accused persons have

arrived there in white scorpio and started abusing and



when the informant forbade them, the accused persons started assaulting the informant and his family members by dagger and pistol. It is alleged that co-accused Dina Kumar stabbed the elder son of the informant and co-accused Sonu Kumar assaulted the younger son of the informant by dagger. In the assault made by co-accused Dina Kumar, the son of the informant died during the course of the treatment.

It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case. There is no specific accusation against the petitioners. It is only alleged against petitioner No. 1 that he made firing in the air but no one hit in the firing. The specific accusation of stabbing the deceased is against co-accused Dina Kumar. It is further submitted that after investigation, the police did not find the case true as against the petitioner and submitted final form but differing with the final form, learned Magistrate took cognizance against the petitioners also. A statement has



been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Parwalpur P.S. Case No. 197 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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