

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23987 of 2021

Arising Out of PS. Case No.-469 Year-2020 Thana- GAURICHAK District- Patna

1. KUNDAN KUMAR SON OF RAJGIR RAI R/O VILLAGE- BACHUARA, P.S. GAURICHAK, DISTRICT-PATNA CITY (PATNA)
2. KAMLESH RAI SON OF LATE DHINNA RAI R/O VILLAGE- BACHUARA, P.S. GAURICHAK, DISTRICT-PATNA CITY (PATNA)
3. VISHAL KUMAR SON OF KAMLESH RAI R/O VILLAGE- BACHUARA, P.S. GAURICHAK, DISTRICT-PATNA CITY (PATNA)
4. AMIT KUMAR SON OF JITAN RAI BACHUARA R/O VILLAGE- BACHUARA, P.S. GAURICHAK, DISTRICT-PATNA CITY (PATNA)
5. CHHOTAN RAI SON OF LATE DHINNA RAI R/O VILLAGE- BACHUARA, P.S. GAURICHAK, DISTRICT-PATNA CITY (PATNA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 66381 of 2021

Arising Out of PS. Case No.-469 Year-2020 Thana- GAURICHAK District- Patna

TINKU KUMAR Son of Kamlesh Ray Resident of Village- Bahuara, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 23987 of 2021)

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr. APP

(In CRIMINAL MISCELLANEOUS No. 66381 of 2021)

For the Petitioner/s : Mr. Arvind Prasad Singh

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 10-02-2022 Heard Mr. Prateek Tandon, learned Advocate for

the petitioners in Cr. Misc. No. 23987 of 2021 and Mr.



Arvind Prasad Singh, the learned Advocate, for the petitioners in Cr. Misc. No. 66381 of 2021. The State is represented by the learned APP.

The petitioners in both the applications seek bail in anticipation of their arrest in connection with Gaurichak P.S. Case No. 469 of 2020 instituted for the offences under Sections 147, 148, 149, 324, 307, 506 and 448 of the Indian Penal Code and Section 27 of the Arms Act.

According to the First Information Report, the act of firing has been attributed to one Raju and not on the petitioners.

It has been submitted on behalf of the petitioners that there is a background of land dispute and the timing of the First Information Report as well as the narration made therein demonstrate that a false case has been instituted. The informant though has received gunshot injury but the possibility of such injury having been caused in a different transaction, cannot be ruled out.

Be that as it may, it has been urged on behalf of the petitioners of both the applications that the act of firing



has not been attributed to the petitioners.

Considering the afore-noted submissions, case diary was called for by order dated 13.01.2022 and 22.01.2022 respectively and the petitioners in both the applications were granted provisional bail.

Regard being had to the afore-stated facts, the provisional bail granted to the petitioners in these two applications, is hereby confirmed.

The petitioners shall remain on the same bail bonds.

The applications are allowed.

(Ashutosh Kumar, J)

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