

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6313 of 2023

Arising Out of PS. Case No.-90 Year-2020 Thana- KURSAILA District- Katihar

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1. Shambhu Yadav Son Of Moti Yadav R/O Sadhwa, P.S.- Gopalpur (RANGRA), District- Bhagalpur
 2. Gilta Singh @ Giltu Kumar Singh Son Of Dinesh Singh R/O Panchkhuti, P.S.- Kursela, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 384, 386, 307 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioners along with other accused persons are said to have fired upon the farmers.

Learned counsel for the petitioners submits that the petitioners are innocent, not named in the FIR and have been falsely implicated in this case. He submits that the farmers have not disclosed the name of the petitioners neither they have alleged against them. He submits that there is no eye witness of shot firing by the petitioners. He further submits that petitioners



have one criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the nature of offence, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Kursela P.S. Case No. 90 of 2020.

However, if the petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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