

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9710 of 2023

Arising Out of PS. Case No.-18 Year-2018 Thana- LALGANJ District- Vaishali

1. Devanand Rai Son Of Late Jay Nandan Rai Resident Of Village - Khajauli, P.O.- Khajaha Chak, P.S.- Lalganj, Dist.- Vaishali
2. Prakash Kumar @ Jay Prakash Shukla @ Kalika Shukla Son Of Devendra Shukla Resident Of Khajaha Chak Ward No.- 10, P.S.- Khajaha Chak @ Saidpur, Dist.- Vaishali At Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Archana Sinha @ Archana Shahi

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioners and

learned APP for the State assisted by learned counsel for the

informant.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 307, 461, 379 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the petitioners and other co-accused entered into informant's house and tried to take Rs. 2,00,000/- (Rupees Two Lakh). In the meantime, the petitioners came and ordered to shoot the informant.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled



against the petitioners is not specific rather general and omnibus in nature. He submits that there is case and counter case between the parties. He submits that there is specific allegation against co-accused Nitesh Kumar and Babbu Thakur. He submits that petitioner no. 1 is having a land dispute with the informant, that is why he is implicated in this case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant oppose prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that the petitioners are order giver, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each 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 Lalganj P.S. Case No. 18 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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