

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9951 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- KHIJARSARAI District- Gaya

1. NEERAJ KUMAR SON OF KAUSHLENDRA KUMAR SINGH R/O VILLAGE- NAGARIYAWAN, P.S.- KHIZARSARAI, DISTRICT- GAYA (BIHAR)
2. GAUTAM KUMAR SON OF AJIT KUMAR SINGH R/O VILLAGE- NAGARIYAWAN, P.S.- KHIZARSARAI, DISTRICT- GAYA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehends arrest in a case registered for the offence punishable under sections 341, 323, 307, 379, 325/34 of the I.P.C and section 27/25 (1-b)26/37 of the Arms Act.

As per the prosecution case, all the F.I.R named accused persons including these petitioners made indiscriminate firing and mercilessly assaulted the informant with intention to kill him.

It is submitted that petitioners are own nephew and son of the informant and have falsely been implicated in this



case due to land dispute. Petitioners have not assaulted the informant rather due to falling on the stone, informant sustained injury. There is no specific allegation of assault against these petitioners. Petitioners claims clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that these petitioners are named and assaulted the informant. Arms and ammunition have been seized from the place of occurrence. Doctor has found the injury grievous in nature.

Considering the nature of injury and gravity of allegation, prayer for pre-arrest bail of the petitioners is rejected.

(Prabhat Kumar Singh, J)

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