

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24574 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- PARSA District- Saran

1. Mithilesh Kumar Son Of Late Baban Ray R/V- Fatehpur P.S- Parsa Dist- Saran
2. Nidu Kumar Son Of Butti Rai R/V- Fatehpur P.S- Parsa Dist- Saran
3. Sadal Kumar Son Of Nawal Rai R/V- Fatehpur P.S- Parsa Dist- Saran
4. Bablu Kumar Rai @ Bablu Kumar Son Of Vijay Rai R/V- Fatehpur P.S- Parsa Dist- Saran
5. Jeevan Kumar Rai Son Of Vijay Rai R/V- Fatehpur P.S- Parsa Dist- Saran
6. Dheeraj Kumar Son Of Vidya Rai R/V- Pojhi, P.S-Derni Dist- Saran
7. Ashish Singh Son Of Jitendra Prasad Singh R/V- Shobha Parsa , P.S- Parsa Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioners, informant
and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 341, 323, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per FIR, all the accused persons including the petitioners came at the house of the informant and started indiscriminate firing. They also entered into his house and took valuable ornaments worth Rs. 2 lacs and cash of Rs. 15,000/-.



Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is nothing in the FIR or the case diary to suggest that either the informant or any of his family members received injury. He further submits that petitioners have one criminal antecedent as stated in para-3 of the supplementary affidavit.

Learned APP for the State and learned counsel for the informant oppose the prayer for bail and submit that three empty cartridges have been recovered from the place of occurrence.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Parsa P.S. Case No. 202 of 2022, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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