

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33143 of 2023

Arising Out of PS. Case No.-11 Year-2022 Thana- PARASBIGHA District- Jehanabad

1. Dilip Kumar @ Amarkant Kumar Son Of Manoj Kumar Village- Nouru Tola Baijnath Bigha, Po- Neura Ps- Paras Bigha Dist- Jehanabad
2. Sonu Kumar Son Of Manoj Kumar Village- Nouru Tola Baijnath Bigha, Po- Neura Ps- Paras Bigha Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Pathak
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2023 Heard both sides.

The petitioners apprehend their arrest in connection with Parasbigha P.S. Case No.11 of 2022, registered for the offences punishable under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code as well as under Section 27 of the Arms Act.

The prosecution case, in brief, is that on 19.01.2022 at about 8.00 a.m., petitioners were unloading wood from magic vehicle and the informant was demanding his dues money. In the meantime, co-accused, Khushboo Kumari assaulted with brick which hit on the hand of the informant's wife, Santra Devi. Thereafter co-accused, Pawan Kumar assaulted the informant by means of wooden piece on his leg. Thereafter co-accused, Manish Kumar and Sonu Kumar armed with pistol came there and Manish



Kumar opened fire which hit on left hand of the informant's nephew, Sujit Kumar.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is general and omnibus allegation against the petitioners. The specific allegation of firing upon the nephew of the informant is against co-accused, Manish Kumar.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Taking into consideration the facts aforesaid, let petitioners, above named, 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 learned Judicial Magistrate, 1st Class, Jehanabad in connection with Parasbigha P.S. Case No.11 of 2022, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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