

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35803 of 2023

Arising Out of PS. Case No.-252 Year-2022 Thana- NADI P.S. District- Patna

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1. Pintu Shav S/O Late Krishna Shav, R/O Village- Jhakhri Mahdev, Gola Road, Danapur, P.S. Danapur Dist.-Patna
 2. Niraj Kahar @ Niraj Kumar S/O Raju Prasad, R/O Village- Jhakhri Mahdev, Gola Road, Danapur, P.S. Danapur Dist.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-07-2023 Heard Mr. Rudra Deo, learned counsel appearing on behalf of the petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Nadi P.S. Case No. 252 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 504, 506 of the Indian Penal Code.

3. It is alleged that while the informant was present at his door, in the meantime, his brother, namely Pintu Shav (petitioner no.1), Satish Kumar @ Popo, Sanni Mumar, Rahul Mehta, Sonu Dusadh and other persons named in the F.I.R. came there and started abusing and assaulting by means of Lathi and Danda. When the informant tried to hold Satish Kumar @



Popo, he fired upon him, but fortunately the bullet did not hit.

4. Learned counsel appearing on behalf of the petitioners submits that in fact petitioner no.1 and the informant are full brothers and on the alleged date of occurrence, on account of some trifling reason, a scuffle took place between all the brothers, which resulted into institution of the present case. He further submits that even as per the narration in the F.I.R., no specific allegation has been attributed against the petitioners, apart from the petitioners are men of clean antecedent and they undertake that they will not indulge in such type of crime, in future.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation, coupled with the fair antecedent and relationship with the informant and petitioner no.1, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate, 1st Class, Patna City, Patna in connection with Nadi
P.S. Case No. 252 of 2022, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C. with the further condition
that one of the bailors shall be the own/close relative of the
petitioners.

(Harish Kumar, J)

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