

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39614 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- MARANCHI District- Patna

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1. MADORAN NISHAD @ MADORAN SINGH NISHAD S/O RAMASHISH NISHAD
 2. BHULLU NISHAD S/O RAMASHISH NISHAD
Both R/O Village- Dumra Janjira Diara, PS. Maranchi (Panchmahla, O.P),
Dist. Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-08-2023

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail apprehending their arrest in connection with Maranchi P.S. Case no.9 of 2023 registered for the offence punishable under sections 307, 341, 323, 448, 504, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, on the orders of one Karelal Nishad, it is stated that the petitioner no.1 fired on the informant hitting him in his left hand while the petitioner no.2 fired on the informant but the shot missed.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case to



prevent them from deposing as witnesses in an earlier case being Sessions Trial no.981 of 2022 which is pending in the Court of learned Additional District and Sessions Judge IV, Barh. Even accepting the allegations in the F.I.R., the shot fired by the petitioner no.2 did not cause any injury. No empty cartridges were recovered from the place of occurrence and the petitioners undertake to cooperate in the trial. It is lastly submitted that the so called order giver has already been enlarged on anticipatory bail.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the two petitioners in the F.I.R. wherein it is stated that as a result of firing resorted to by the petitioners, the informant sustained firearm injury, the Court is not inclined to enlarge the petitioners on anticipatory bail and the application is rejected.

7. The petitioners are directed to surrender in the Court below within four weeks.

(Partha Sarthy, J)

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