

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44098 of 2023

Arising Out of PS. Case No.-890 Year-2022 Thana- HILSA District- Nalanda

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1. SHASHANK NAWAL @ GUDDU S/O NAWAL KISHORE SINGH R/O VILLAGE- CHANDAUT, PS. HILSA, DIST. NALANDA, AT PRESENT R/O VILLAGE- DHARAMPUR, PS. HILSA, DIST. NALANDA
 2. NISHANT NAWAL (NISU) S/O NAWAL KISHORE SINGH R/O VILLAGE- CHANDAUT, PS. HILSA, DIST. NALANDA, AT PRESENT R/O VILLAGE- DHARAMPUR, PS. HILSA, DIST. NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 307, 379, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.
4. The informant alleges that on account of dispute relating to land Guddu Kumar and Nishu Kumar (i.e. petitioner nos. 1 and 2) on orders of Asha Singh fired 4-5 rounds and snatched Rs.35,000/- from the informant.
5. Learned counsel for the petitioners submits that



petitioners have been falsely implicated in the present case. It is further submitted that the allegation of firing is ornamental in nature as no one was injured which amply demonstrates that no firing was done when admittedly petitioners are persons with clean antecedent. It is next submitted that petitioners' father and the informant are full brother and there is dispute of property between them which led to the false implication of the petitioners along with their mother.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the 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 released on anticipatory 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 the learned court below where the case is pending/successor court in connection with Hilsa P.S. Case No. 890 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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