

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44589 of 2023**

Arising Out of PS. Case No.-166 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

NAND KISHOR SAH Son of Boodhram Sah Resident of Village - Etwarpur  
Taj, P.S.- Bochahan, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar,APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      06-10-2023      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he along with one other co-accused person fired upon the informant's son due to which he sustained injury on his head.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute



between the parties. There is no eye-witness in the present case. He has been made accused in the present case merely on suspicion. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and fairly submits that there is no material available on record to show the complicity of the petitioner in the present case.

6. Having regard to the facts and circumstances of the case, as there is admitted land dispute between the parties and petitioner has no concern with the alleged occurrence which is also evident from the case diary, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) 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 Bochahan P.S. Case No. 166 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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