

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45146 of 2023

Arising Out of PS. Case No.-249 Year-2023 Thana- DAUDNAGAR District- Aurangabad

1. Krishna Pandey @ Krishna Kumar, Son Of Satyanarayan Pandey Resident Of Village- Shamsher Nagar, Ps- Daudnagar, Distt- Aurangabad
2. Ravi Ranjan Kumar, Son Of Anil Sharma Resident Of Village- Shamsher Nagar, Ps- Daudnagar, Distt- Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ravindra Kumar
For the Opposite Party/s :	Mr. Rabindra Kumar- A.P.P.
	Mr. Jitendra Kumar Sagar
	Mr. Mukul Prakash

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-07-2023 1. Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 326, 307, 302 of the Indian Penal Code and Section 27 of the Arms Act.
3. The learned counsel for the petitioners submits that the petitioners have antecedent of two cases and the informant alleges that on account of dispute relating to feeling of pond, the occurrence took place in which Nanhku Pandey and Dhibiri fired causing injury to him and his son and thereafter, accused persons including the petitioners fled after firing.



4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that specific allegation of firing is against Nanhku and Dhibiri, which caused injury to the informant and his son. It is next submitted that in order to falsely implicate the petitioners and other accused persons, it is alleged that they also fired and fled. It is next submitted that even presuming what has been alleged is true without admitting, then it is not the case of the prosecution that the injured got injury by firing of the petitioners.

5. Learned A.P.P. along with learned counsel for the informant opposes the bail application, but are not in a position to rebut the submission of the learned counsel for the petitioners that the allegation of firing is specific against Nanhku and Dhibiri.

6. 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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned Sub-Divisional
Judicial Magistrate, Aurangabad in connection with Daudnagar
P. S. Case No.249 of 2023, subject to the conditions laid down
under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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