

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54393 of 2023

Arising Out of PS. Case No.-73 Year-2023 Thana- MATIHANI District- Begusarai

1. Mithilesh Kumar S/O Pramod Singh R/O Village- Ward No. 2 Sihma Barari,
Ps. Matihani, Dist. Begusarai
2. Amresh Kumar S/O Pramod Singh R/O Village- Ward No. 2 Sihma Barari,
Ps. Matihani, Dist. Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners submits that during pendency of this application, petitioner no. 2 has been arrested. As such, counsel for the petitioners is not pressing the bail application for petitioner no. 2.

2. The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 341, 379, 323, 504, 506, 385 and 34 of the I.P.C. read with Section 27 of the Arms Act.

3. As per the prosecution case, the allegation against four named accused persons including the petitioner no. 1 that he reached at the house of the informant duly armed and started abusing. It is alleged that on the order of accused Amresh Kumar (petitioner no. 2), indiscriminate firing was made by

him. The allegation of demand of Rs. 5,00,000/- is also their.

4. Learned counsel for the petitioner submits that petitioner no. 1 is the brother of petitioner no. 2, who is Deputy *Mukhiya* of the *Panchayat* and it is due to this reason, his name has figured in this case at the instance of the informant. Counsel submits that there is a rivalry between the informant and his brother. There is nothing specific made in the F.I.R. Counsel further submits that the antecedent of the petitioner no. 1 is clean.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances of the case and the submissions made above, let the above named petitioner no. 1 be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Begusarai, in connection with Matihani P.S. Case No. 73 of 2023, dated 21.05.2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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