

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53085 of 2022

Arising Out of PS. Case No.-190 Year-2022 Thana- NOORSARAI District- Nalanda

1. SHIVNATH PRASAD @ GANAURI S/O LATE RAM NARAYAN YADAV Resident of village- Siwanpur, P.S.- Noorsarai District- Nalanda
2. RAVINDRA NARAYAN LAL @ LAL BABU S/O SHIVNATH PRASAD @ GANAURI Resident of village- Siwanpur, P.S.- Noorsarai District- Nalanda
3. MRITUNJAY KUMAR YADAV @ MRITUNJAY KUMAR S/O SHIVNATH PRASAD @ GANAURI Resident of village- Siwanpur, P.S.- Noorsarai District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv.
		Mr. Rakesh Singh, Adv.
For the Opposite Party/s	:	Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 30-01-2023 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned senior counsel for the petitioners as well as the learned counsel for the informant and also heard the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Noorsarai P.S. Case No. 190 of 2022 registered for offence punishable under sections 307, 324, 323, 341, 504/34 of the Indian Penal Code and section 27 of the Arms Act.



As per allegation, when the informant was performing *Bhumi Pujan*, the accused persons prohibited him, claiming that the land was belonging to them. On protest, they assaulted the informant and co-accused Deepak Kumar Yadav fired shot, which hit little finger of the informant.

The learned senior counsel for the petitioners has submitted that the FIR shows that there is land dispute between the parties. The injuries are simple and the allegation of firing is not on the petitioners, rather it is against co-accused, Deepak Kumar Yadav.

On the other hand, the learned APP as well as the learned counsel for informant have opposed the prayer for bail and submitted that injuries suffered by the injured are though simple in nature, but it has been caused by fire-arms.

It appears that there is land dispute between the parties and there is no allegation on the petitioners to open fire, let the petitioners above-named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Nalanda, Bihar Sharif in connection with Noorsarai P.S. Case No. 190 of



2022, subject to condition as laid down under section 438(2) Cr.
P.C.

Office shall ensure that all defects are removed by the
petitioners within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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