

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61257 of 2023

Arising Out of PS. Case No.-357 Year-2023 Thana- CHIRAIYA District- East Champaran

1. Hiralal Prasad Kushwaha Son Of Late Birbal Prasad Kushwaha Resident Of Village Ambariya, Ps-Shikarganj, Dist- East Champaran
2. Dharmendra Kumar Son Of Keshwar Mahto Resident Of Village Ambariya, Ps-Shikarganj, Dist- East Champaran
3. Dinbandhu Kushwaha @ Dinbandhu Prasad Kushwaha Son Of Aghanu Mahto Resident Of Village Ambariya, Ps-Shikarganj, Dist- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Chiraiya(Shikarganj) P.S. Case No. 357 of 2023 registered under sections 147, 148, 149, 323, 324, 326, 307, 337, 338, 379, 387, 448, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the several accused persons including this petitioners is that they assaulted the informant and their members. Further, one co-accused person, namely, Jai Prakash Kushwaha made firing upon the friend of the son of the



informant due to which he sustained firearm injury and also they entered in the house of the informant and looted away household articles worth Rs. 5 lakhs.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. Nothing specific allegation has been levelled against the petitioners rather the specific allegation of opening fire due to which the friend of the son of the informant sustained injury is against co-accused Jai Prakash Kushwaha. There is case and counter case between both the parties and both parties have sustained injuries as alleged in separate occurrence. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 25.07.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Charaiya(Shikarganj)



P.S. Case No. 357 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran.

(Sunil Kumar Panwar, J)

shubham/-

U		T	
---	--	---	--

