

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68149 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- CHARPOKHARI District- Bhojpur

1. NISHANT UPADHYAY @ NISHANT KUMAR UPADHYAY SON OF SRI HULAS UPADHYAY @ RAM HULAS UPADHYAY R/O VILLAGE-BAISADIH, P.S.- PIRO, DISTRICT- BHOJPUR
2. HULAS UPADHYAY @ RAM HULAS UPADHYAY SON OF SRI RADHA MOHAN UPADHYAY R/O VILLAGE- BAISADIH, P.S.- PIRO, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shrinath Manjhi
For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 307 and 506 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is admitted land dispute between the parties. He submits that according to the F.I.R. petitioners are order givers and there is no allegation that the petitioners were armed with any fire arm. He submits that



nobody injured on the spot. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is admitted land dispute between the parties, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Charpokhari P.S. Case No.133/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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