

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69913 of 2023

Arising Out of PS. Case No.-166 Year-2022 Thana- EKANGARSARAI District- Nalanda

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PAPPU KUMAR Son of Kunj Bihari Yadav RESIDENT OF VILLAGE
BANAULIYA, P. S. BIHAR, DISTT.- NALANDA.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Ekangarsarai P.S. Case No. 166/2022 registered for the offences punishable under Sections 341, 307, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

3. As per prosecution case, the informant was in process of constructing the building upon his land and same was protested by other side. It is alleged that during course of protest the petitioner is said to have been firing twice.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. The petitioner bears criminal antecedent of three cases in which he is on bail as orally submitted by learned counsel for the petitioner. He further submits that no firing material was recovered from the place of occurrence. From perusal of FIR itself, no person has sustained injury. He further submits that the petitioner has nothing to do with the alleged occurrence and there is land dispute between them. The petitioner being son-in-law of co-accused Surendra Prasad and he has falsely been implicated in this case. He further submits that in the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the aforesaid sections.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Hilsa,



Nalanda in connection with Ekangarsarai P.S. Case No. 166/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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