

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73280 of 2023

Arising Out of PS. Case No.-205 Year-2023 Thana- ITARHI District- Buxar

1. Subash Singh @ Subhash Singh @ Dhruw Singh Son Of Late Bishwanath Singh R/O Village- Chilbila, P.S.- Itarhi, District- Buxar
2. Akhilesh Kumar Son Of Subash Singh @ Dhruw Singh R/O Village- Chilbila, P.S.- Itarhi, District- Buxar
3. Bintesh Kumar Son Of Subash Singh @ Dhruw Singh R/O Village- Chilbila, P.S.- Itarhi, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Itarhi P.S. Case No. 205 of 2023 dated 25.08.2023 registered for the offences punishable under Sections 147, 148, 149, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, due to an old land dispute two groups armed with deadly weapons were assaulting each other and also made indiscriminate firing.



5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case on account of land dispute. Learned counsel has submitted that no one sustained firearm injury. The petitioner no. 1 is accused in five other criminal cases whereas petitioner no. 2 and 3 are involved in four other criminal cases as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Itarhi P.S. Case No.205 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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