

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72980 of 2022**

Arising Out of PS. Case No.-282 Year-2022 Thana- RAJAOLI District- Nawada

1. ARBIND KUMAR @ ARVIND KUMAR S/O BALCHANDRA PRASAD  
Resident of village- Bariya Tanr (Bariya Tand), P.S.- Sirdala, District-  
nawada.
2. HARISH KUMAR @ HARISH PRASAD S/O BALCHANDRA PRASAD  
Resident of village- Bariya Tanr (Bariya Tand), P.S.- Sirdala, District-  
nawada.
3. RANJEET YADAV @ RAMJEET PRASAD S/O KAILASH PRASAD  
Resident of village- Bhelwa Tanr (Bhelwa Tand), P.S.- Sirdala, District-  
nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sushil Kumar Jha, Adv.  
For the Opposite Party/s : Mr.Choubey Jawahar, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      24-03-2023              Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered  
for the offences punishable under Sections 147, 148, 149, 341,  
326, 307 of the Indian Penal Code.

Allegedly, petitioners along with other accused persons,  
armed with lethal weapons in their hands started firing upon the  
informant's father as a result of which he sustained arm injuries.

It is submitted by learned counsel for the petitioners that  
petitioners are quite innocent and have committed no offence.



No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to the local village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. It is further submitted that the shop of the father of the informant is situated near the house of the petitioner nos.1 & 2. The father of the informant encroached the land of the petitioners. Due to unauthorized encroachment and occupation of the land, there is dispute between the parties. Petitioner nos. 2 & 3 have no criminal antecedent whereas petitioner no.1 has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant oppose the prayer for bail and submit that petitioners are involved in the present case. They further submit that father of the informant disclosed the name of the petitioners. The allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case as well as the nature of the offence, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, if the petitioners surrender before the



learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender.

**(Anjani Kumar Sharan, J)**

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