

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7685 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- NARPATGANJ District- Araria

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1. KALANAND YADAV S/O- KINNU YADAV R/O- VILLAGE- SIMRAHI, WARD NO.- 12, P.S.- NARPATGANJ, DARETICT- ARARIA.
 2. LALAN KUMAR @ LALAN KUMAR YADAV @ LALAN YADAV S/O- KINNU YADAV R/O- VILLAGE- SIMRAHI, WARD NO.- 12, P.S.- NARPATGANJ, DARETICT- ARARIA.
 3. KINNU YADAV S/O- LATE DHUTHAR YADAV R/O- VILLAGE- SIMRAHI, WARD NO.- 12, P.S.- NARPATGANJ, DARETICT- ARARIA.

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Narpatganj P.S. Case No. 206 of 2023 dated 25.04.2023 registered for the offence/s punishable u/s 147, 148, 149, 341, 323, 307 of the Indian Penal Code and u/s 25 (1-b)a, 26, 35 and 27 of the Arms Act.

3. As per the prosecution case, the petitioners and the co-accused persons were fixing the pole in the informant's land. When the informant's husband objected, all the accused persons



started abusing him. The accused Durganad fired on the informant's husband with rifle causing bullet injuries on his thigh and head. When Amit Kumar came to rescue, Amrendra Yadav fired on him causing bullet injury on his thigh and Ranjit Mishra fired indiscriminately due to that Bal Krishna Kumar also sustained bullet injury on his head. Jay Narayan Yadav and Sikander Yadav also fired indiscriminately due to that a labour sustained bullet injury on his leg. Thereafter, all the accused also assaulted the informant, his husband, her grandson and her son and fled away.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. There is no specific allegation of firing against the petitioners. Similarly situated co-accused has already been granted anticipatory bail by the co-ordinate bench *vide* order dated 14.12.2023 passed in Cr. Misc. No. 79654 of 2023. The petitioner no. 2 and 3 have no criminal antecedent and the petitioner no. 1 has one more criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.



6. 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 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, Narpatganj in connection with Narpatganj P.S. Case No. 206 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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