

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12069 of 2024

Arising Out of PS. Case No.-108 Year-2023 Thana- ALIPUR District- Gaya

1. Kundan Kumar S/O- Baiju Kumar @ Baiju Yadav R/O- Village- Daulatpur, Dhira Bigha, P.S.- Alipur, Dist.- Gaya.
2. Chandan Kumar S/O- Baiju Kumar @ Baiju Yadav R/O- Village- Daulatpur, Dhira Bigha, P.S.- Alipur, Dist.- Gaya.
3. Gyandev Kumar @ Gyandev Yadav S/O Pyare Yadav @ Ram Pyare Yadav Village- Daulatpur, Dhira Bigha, Ps. Alipur, Dist. Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 504, 307, 34 of the Indian Penal Code and Section 25(1-b)a, 26 and 27 of the Arms Act.

3. Petitioners along with other accused persons are said to have assaulted the informant. Petitioners also fired in the air by his pistol but anyhow he save himself.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that there is specific



allegation against co-accused Baiju Yadav to open firing upon the informant. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Alipur P.S. Case No. 108 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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