

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28334 of 2024

Arising Out of PS. Case No.-103 Year-2023 Thana- DANDARI District- Begusarai

1. Rajeev Kumar son of Bishnudev Sah @ Bishundev Sah Resident of Village- Katarmala, Ward No. 5, P.S.- Dandari, Dist.- Begusarai
2. Rajendra Sah Son of Bhuttu Sah Resident of Village- Katarmala, Ward No. 5, P.S.- Dandari, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-07-2024 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Dandari P.S. Case No. 103 of 2023 dated 13.11.2023 registered for the offences punishable u/ss 341, 302, 120B, 504, 506 read with Section 34 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, on 12.11.2023, in the evening, the informant along with his father was returning after closing his shop. When they reached Bajrangbali Chowk Katarmala then the accused persons including the petitioner armed with various weapons surrounded and threatened to



vacate the land. Thereafter, on the order of the petitioner, Rajeev Kumar, the petitioner Rajendra Sah and the co-accused, Kailash Tanti caught hold of the hand of the deceased and the co-accused, Vikash Kumar fired on the chest of the deceased.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is land dispute between the parties. The petitioner no. 1 is the nephew of the deceased and both are own agnates. There is no specific allegation against the petitioners rather the specific allegation of firing on the informant's father is against the co-accused, Vikash Kumar. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 14.11.2023.

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 as well as the period of custody, the petitioners above-named, are directed to 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, Begusarai in connection with Dandari
P.S. Case No. 103 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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