

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27981 of 2024

Arising Out of PS. Case No.-347 Year-2023 Thana- GOPALPUR District- Patna

1. Nitesh Kumar @ Nitish Kumar Son of Ashok Singh Resident of Village-
Chak Bairiya, Police Station- Gopalpur, Dist.- Patna
2. Chhotu Singh @ Chhotu Kumar Son of Ashok Singh Resident of Village-
Chak Bairiya, Police Station- Gopalpur, Dist.- Patna
3. Bhola Singh @ Bhola Kumar Son of Mukesh Singh Resident of Village-
Chak Bairiya, Police Station- Gopalpur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 354, 384, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, all the accused persons including the petitioners are said to have assaulted the informant and her husband and also fired from pistol with intention to kill her husband.

4. It is submitted by learned counsel for the petitioners



that the petitioners are quite innocent and they have committed no offence. No such occurrence as alleged has ever taken place. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. It is further submitted that nobody had received any injury in the alleged occurrence. Similarly situated co-accused persons have been enlarged on bail by this Bench vide order dated 02.11.2023 passed in Cr. Misc. No. 66014 of 2023. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 lower Court where the case is pending/successor Court in connection with Gopalpur P.S. Case No. 347 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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