

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32178 of 2024

Arising Out of PS. Case No.-509 Year-2023 Thana- VAISHALI District- Vaishali

1. Anjani Kumar son of Sri Saroj Kumar @ Suresh Rai Village- Belka PS and District- Vaishali
2. Ashawni Kumar son of Sri Saroj Kumar @ Suresh Rai Village- Belka PS and District- Vaishali
3. Rakesh Kumar son of Sri Jagdish Rai Village- Belka PS and District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Navjot Yesu, Advocate
For the Opposite Party/s	:	Mr. Ram Sumiran Rai , APP
For the informant	:	Mr. Raja Ram Rai , Advocate
		Manju Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341, 323, 447, 448, 354, 307, 504/34 of the Indian Penal Code and Section 27 of The Arms Act.

3. The prosecution story, in brief is that on November 19, 2023, at about 8.15 PM, the son of the informant's *Pattidar*, namely, *Abishek Kumar*, was throwing fire crackers at the door of the informant. When the informant protested, all the accused persons named in the F.I.R., including these petitioners armed



with *lathi*, *danda*, rod, and pistol, came at the informant's door and started abusing them and pelting bricks and stones. It is further alleged that the co-accused, *Manoj Kumar*, with an intention to kill the informant, made gun shot fire that hit his leg below his knee. It is further alleged that when the other *pattidars* of the informant came to save them, then all of them went to their house and started to assault and abuse them, and when the villagers informed the police, then all of them ran away.

4. It is submitted on behalf of the petitioners that the entire prosecution case is false and concocted and these petitioners have falsely been implicated in this case due to land dispute between them. Allegation against these petitioners is general and omnibus and there is no specific allegation against them. Specific allegation of causing fire arm injuries is against *Manoj Kumar*. Injury allegedly caused by these petitioners are simple in nature. Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6 Considering the general and omnibus allegation against these petitioners and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let



the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 509 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

Koushik/-

U		T	
---	--	---	--

