

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43191 of 2024

Arising Out of PS. Case No.-343 Year-2023 Thana- BACHHWARA District- Begusarai

1. Harihar Rai Son Of Late Subelal Yadav Village- Chamtha, Ps- Bachhwara, Dist- Begusarai
2. Chhatis Rai Son Of Harihar Rai Village- Chamtha, Ps- Bachhwara, Dist- Begusarai
3. Nitish Rai Son Of Harihar Rai Village- Chamtha, Ps- Bachhwara, Dist- Begusarai
4. Rajniti Rai Son Of Harihar Rai Village- Chamtha, Ps- Bachhwara, Dist- Begusarai
5. Chhotu Rai Son Of Harihar Rai Village- Chamtha, Ps- Bachhwara, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Diksha Kumari, Advocate
For the State	:	Mr. Shaheen Begum, APP
For the Informant	:	Mr. Sandip Kumar Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 20-09-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State as also learned counsel for the Informant.

2. The petitioners apprehend their arrest in connection with Bachwara P.S. Case No. 343 of 2023 registered for the offences punishable under Sections 147, 148, 149, 307, 384, 420, 120B & 34 of the Indian Penal Code.

3. Prosecution case in short is that while the informant, his nephew and his neighbour were ploughing the field of the informant co-accused persons came there and started



firing indiscriminately and several bullets were fired, which passed from the side of their forehead and one bullet was passed touching the waist, resulting in tearing of clothes. It is also alleged that informant was demanded extortion money to the tune of Rs. 5,00,000/- lakhs. It is also alleged that one 'Sanjay Kumar Singh' and 'Mukesh Kumar' along with his brother, 'Krishna Mohan Singh' hatched a conspiracy and fraudulently transferred the land of the informant to the petitioner herein.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. It is submitted that there is case and counter case between the parties. It is submitted that from the place of occurrence, neither any empty cartridge was found nor any seizure list was prepared. It is evident from the perusal of the FIR itself, that the occurrence took place between the parties due to land dispute. It is lastly submitted that charge sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners. Referring to the injury report, it is submitted that doctor has opined that bullet went



further and touched his left waist and some explosive (*Barud*) particles was found. The allegation is serious in nature and the petitioner do not deserve the privilege of bail.

6. Considering the rival submissions made by the learned counsel for the parties and taking into account the nature of allegation levelled against these petitioners, this Court is not inclined to allow anticipatory bail to the petitioners. Prayer is *rejected*.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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