

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43251 of 2024

Arising Out of PS. Case No.-207 Year-2020 Thana- FATUA District- Patna

1. Deo Rishi Kumar @ Pandit S/o Sri Raj Bali Roy R/o Mohalla- Garhochak, P.S.-Fatuha, District-Patna
2. Sunil @ Sukhia S/o Yogendra R/o Mohalla- Garhochak, P.S.-Fatuha, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-07-2024 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 , 504, 506 and 34 of the Indian Penal Code and 25 (1-b)/a/26(1) of Arms Act .

3 . The prosecution case , in brief, is that on the alleged date and time of occurrence, informant went to *Chowmine* shop all of a sudden these petitioners along with other co-accused persons and unknown persons came near him and pointed *katta* on him, abused him and due to which a scuffle took place between them in which one country made pistol fell into



drainage and thereafter on arrival of police all the accused persons fled away .

4. It is submitted on behalf of the petitioners that from bare perusal of F.I.R., it is apparent that there is enmity going on between the parties since long and only with a view to harass the petitioners this present false and concocted case has been lodged. All sections of IPC are bailable in nature . It is further submitted that the alleged arm was produced by the private person which comes under the purview of section 37 (B) of Arms Act which is bailable in nature . There is no allegation of assault against these petitioners. Petitioner No. 2 claims clean antecedent and petitioner No. 1 has got one criminal antecedent in which he is on bail.

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

6 Considering the aforesaid facts and 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 the learned ACJM - 1st Patna City in connection with Fatuha P.S. Case No. 207 of 2020, subject to the conditions laid down



under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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