

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61171 of 2024**

Arising Out of PS. Case No.-127 Year-2024 Thana- SAHEBPUR KAMAL District-  
Begusarai

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1. Sikandra Yadav @ Sikendra Yadav Son of Ram Swaroop Yadav R/V-  
Vilage- Kharhar, P.O.- Phulmalik, P.S.- Sahebpur Kamal, Distt.- Begusarai
  2. Nandu Kumar Son of Sikandra Yadav @ Sikendra yadav R/V- Vilage-  
Kharhar, P.O.- Phulmalik, P.S.- Sahebpur Kamal, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr. Braj Bhusan Poddar, Advocate |
| For the Opposite Party/s | : | Mr. Dashrath Mehta, APP          |
| For the Informant        | : | Mr. Rajesh Kumar Sinha, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

4      17-12-2024                      Heard learned counsel for the petitioners, learned APP  
  
for the State and learned counsel for the informant. Perused the  
  
case diary.

2. The petitioners seek bail in connection with S.  
  
Kamal P.S. Case No. 127 of 2024 instituted for the offences  
  
under Sections 341, 323, 307, 504, 506/34 of the Indian Penal  
  
Code and 25(1-b)a, 27, 35, 26 of the Arms Act.

3. Prosecution story, in short, is that, on the alleged  
  
date and time, the accused persons, armed with weapons, came  
  
at the place of occurrence and stopped the construction work.  
  
On protest, the petitioners fired upon the informant due to which



he sustained injuries. On *hulla*, the local people gathered and snatched the firearm from the petitioners.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. Learned counsel further submitted that although there is allegation in the FIR that the petitioners fired upon the informant but as per injury report, no any firearm injury has been sustained by the informant. Learned counsel further submitted that as per injury report, injuries sustained are caused by hard and blunt substance but simple in nature. Learned counsel further submitted that there is case and counter-case between the parties. It has been submitted on behalf of the petitioners that the petitioners are in custody since 04.05.2024 and have one criminal antecedent.

5. 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.

6. Considering the aforesaid facts and circumstances of the case, nature of injuries sustained by the informant, case and counter-case between the parties as also the period of



custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S. Kamal P.S. Case No. 127 of 2024.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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