

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77456 of 2024

Arising Out of PS. Case No.-437 Year-2024 Thana- SARAIYA District- Muzaffarpur

1. Kanhai Kumar S/O Pankaj Kumar R/O Vill- Kolhua, P.S.- Saraiya, Dist- Muzaffarpur.
2. Pankaj Kumar S/O Late Nageshwar Singh R/O Vill- Kolhua, P.S.- Saraiya, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-11-2024 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 329(3), 126(2), 115(2), 117(2), 109, 352, 351(2), 351(3) and 3(5) of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the F.I.R., the petitioners along with co-accused persons came at the door of the informant and started abusing when the informant objected, the accused persons assaulted the informant and his family members. It is also alleged that petitioner no.1 has fired through his pistol.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation



levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. It is further submitted that petitioner's side have sustained injury. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioners.

6. Having regard to the facts and circumstances of the case, considering the fact no person was injured in the present case, let the above named petitioner, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Saraiya P.S.Case No. 437 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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