

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87555 of 2024

Arising Out of PS. Case No.-238 Year-2023 Thana- KHUSRUPUR District- Patna

1. Sunny Kumar S/O Kapindra Kumar @ Kapindra Singh Village- Champapur, Ward No.2, P.S.- Bakhtiyarpur, Dist.- Patna
2. Ram Pravesh Kumar S/O Avdhesh Singh Village- Malpur, P.S.- Khusrupur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.

Mr. Vijay Anand, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2024 Heard learned senior 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 307/120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, the petitioners along with other co-accused are said to have made indiscriminate firing. The names of the petitioners have been surfaced in this case on the disclosure of local *chowkidar* and villagers.

4. It is submitted by learned senior counsel for the petitioners that the petitioners are quite innocent and have



committed no offence. No such occurrence as alleged has ever taken place. They have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is admitted land dispute between the parties. There is no specific overt act against the petitioners. None has sustained any injury in the alleged occurrence. Similarly situated co-accused, namely, Binay Kumar and others have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 20.12.2023 passed in Cr. Misc. No. 76644 of 2023. Learned counsel further submits that petitioners have three criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners and similarly situated co-accused have been enlarged on bail, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in



connection with Khusrupur P.S. Case No.238 of 2023, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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