

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8550 of 2025

Arising Out of PS. Case No.-271 Year-2024 Thana- SAHPUR District- Patna

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1. Ram Kumar Singh @ Ram Kumar S/o- Rambachan Singh Village- Bhagwatipur PS-Shahpur Dist- Patna
 2. Deepak Kumar S/o- Umesh Singh Village- Godhana PS-Neora Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-03-2025 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The present application for grant of pre-arrest bail has been filed in connection with Shahpur P.S. Case No. 271 of 2024, registered for offences under Sections 126(2), 115(2) 109, 61, 308(3), 352, 351(2) of the B.N.S., 2023 and under Section 27 of the Arms Act.

3. It has been stated by the learned counsel for the petitioners that as per the F.I.R, it has been alleged that the named accused persons namely, Neeraj Kumar, Suraj Kumar and Ankit Kumar caught hold of the informant's brother Ajesh Kumar and Rahul Kumar shot him and

caused gunshot injury in the left thigh and thereafter all the accused persons ran away waiving the firearms. It has further been alleged in the F.I.R. that the accused persons are criminals and are involved in similar other cases and the accused persons earlier also had threatened to kill the informant for which the informant has given an application to Shahpur police station. It has further been alleged in the F.I.R., that the accused persons have got executed sale deed with respect to land of the informant from a forged person and they want to take possession of the said land against which informant has filed written compliant in S.D.O. court in Danapur and lastly, it has been alleged that the accused Suraj Kumar and land mafia Dhananjay Kumar have demanded Rs. 5 Crore as *rangdari* or leave the possession of the said land, otherwise the entire family members would be eliminated.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence as alleged and this case has been filed due to land dispute. He further submits that no overt act against the present petitioners has been alleged in the F.I.R. and there is

general and omnibus allegation of abuse against the petitioners.

5. It is further submitted by the learned counsel for the petitioners that there is specific allegation of firing upon the brother of the informant on another co-accused namely Rahul Kumar and not on the petitioners.

6. The learned counsel appearing on behalf of the informant states that the petitioners are criminals and they carry criminal antecedent and there is an old dispute with the accused persons and earlier also one case being Shahpur P.S. Case No. 739 of 2023 was lodged in which there was an allegation of criminal intimidation and threat to kill the informant of that case.

7. Learned APP for the State also vehemently opposes the prayer for bail.

8. Considering the fact that there is no specific allegation of overt act against the petitioner no. 1 barring that he alongwith others abused and the remote connection of Deepak Kumar stating him to be land mafia and who was instrumental in capturing lands with illegal means and who has been giving protection to the other accused persons. I

do not find any specific allegation against petitioner no. 2 to connect with the present incident hence let the petitioners, above named, in the event of their arrest or surrender before the Court below be enlarged on bail on the aforesaid conditions by furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Danapur in connection with Shahpur P.S. Case No. 271 of 2024.

9. Accordingly, the bail application stands allowed.

(Sourendra Pandey, J)

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