

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8551 of 2025

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

Purushottam Kumar Son of Vijay Singh Resident of Village - Bhagwatipur,
P.S.- Shahpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-03-2025 Heard learned Counsel for the petitioner 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 petitioner 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 petitioner submits that the petitioner is innocent and have not committed any offence as alleged and this case has been filed due to land dispute. He further submits that there is no overt act committed by the petitioner either of assaulting or even catching hold of the victim rather the allegations against him is general and omnibus.

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

6. The learned counsel appearing on behalf of the informant states that the petitioner is a criminal and 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 that there is no specific overt act either of assaulting or even catching hold of the informant is against the petitioner hence let the petitioner, 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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