

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68138 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- PARBATTa District- Khagaria

-
1. Raghbendra Singh Son of Ganganand Singh Resident of Village - Aguawani,
P.S. - Parbatta, District - Khagaria
 2. Shivendra Singh Son of Ganganand Singh Resident of Village - Aguawani,
P.S. - Parbatta, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, A.P.P.
For the Informant	:	Mr. Jai Kishor Poddar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-02-2025 1. Heard learned counsel for the petitioners, Mr. Chandra Bhushan Prasad, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code as well as Section 27 of the Arms Act.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 1 is aged about 50 years and petitioner no. 2 is a young boy aged about 22 years. It is further submitted that informant alleges that on 01.02.2024, he along with his son on a motorcycle at 8.45 a.m. were going to school when the accused



persons came and started abusing him and asked to withdraw the case. Further, on refusal, Mantun Singh and Aman Kumar fired causing injury on the abdomen of the informant. Thereafter, Shivam Kumar @ Neta and Ranjan Kumar fired causing injury on the chest of the son of the informant and when his father came to save them, Shambhu Singh fired causing injury on his right finger.

4. Learned counsel for the petitioners submits that from perusal of the allegations made in the FIR, it would manifest that specific allegation of firing is against Mantun Singh, Aman Kumar, Shivam Kumar @ Neta and Ranjan Kumar and the petitioner no. 1 has been implicated in the instant case by alleging that he was an order giver. It is further submitted that it is very easy to implicate someone by alleging that he was an order giver. It is next submitted that it does not appear probable that had the petitioner no. 1 ordered the persons who fired to jump from the 28th floor they would have jumped but then it is being alleged that they fired at his instance. It is also submitted that petitioners are own brothers and are having land dispute with the informant, as such, they came to be implicated with general and omnibus allegation.

5. Mr. Chandra Bhushan Prasad, learned A.P.P. for the



State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that no specific allegation of firing is alleged against them.

6. Considering the submissions made by the learned counsel for the petitioners and the fact that they are persons with clean antecedent, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each 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 Parbatta P.S. Case No. 51 of 2024, G.R. No. 342 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

