

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33824 of 2014

Arising Out of PS.Case No. -33 Year- 2014 Thana -CHHATOUNI District- EAST
CHAMPARAN(MOTIHARI)

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1. Dhananjay Pandey Son of Jagdish Pandey Resident of Chhatauni Bajar,
P.S.-Chhatauni, District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.34145 of 2014

Arising Out of PS.Case No. -33 Year- 2014 Thana -CHHATOUNI District- EAST
CHAMPARAN(MOTIHARI)

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1. Naresh Pandey S/O Jagdish Pandey Resident of Chhatauni Bajar, P.S.
Chhatauni, Dist.- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
(In Cr.Misc. No.33824 of 2014)
For the Petitioner/s : Mr. Sangeet Deokuliar
For the Opposite Party/s : Mr. R.B.Rai Raman (App)
(In Cr.Misc. No.34145 of 2014)
For the Petitioner/s : Mr. Sangeet Deokuliar
For the Opposite Party/s : Mr. Yogendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 19-01-2015 Both the above stated petitions have arisen out of

Chhatauni P.S. Case No. 33 of 2014 registered for the offences

punishable under Sections 387, 307/34 of the Indian Penal Code and 27 of the Arms Act and accordingly, both the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners are named in the first information report with allegation that they went at the wine shop of the informant and demanded wine as well as Rs. 5,000/- in extortion and when informant refused they opened fire causing firearm injury to the informant. Para-50 of the case diary reveals that informant sustained injury on his right palm as well as right lower arm and the aforesaid injuries were found simple in nature. Admittedly, there was enmity between the parties and the petitioner in Cr. Misc. No. 33824 of 2014 had also lodged criminal case against the informant and others in the year 2012.

No doubt, petitioners carry criminal antecedent but taking note of the above stated facts as well as this aspect of the matter that they are languishing in jail custody since 29.04.2014 and 12.04.2014 respectively, let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in connection with

Chhatauni P.S. Case No. 33 of 2014 subject to condition that if they commit similar type of occurrence in future and any petition for cancellation of their bail is filed before the trial court, the trial court after making due enquiry may cancel the bail bonds of the petitioners.

(Hemant Kumar Srivastava, J)

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