

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11581 of 2015

Arising Out of PS.Case No. -242 Year- 2014 Thana -ALOULI District- KHAGARIA

- =====
1. Munna Kumar Sharma Son of Upendra Sharma @ Amin Sharma
 2. Makho Sharma Son of Late Brahmdev Sharma
 3. Subhash Sharma Son of Late Ramchandra Sharma
- All Residents of Chandpura, Khurd, P.S. Alauli, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-03-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 506/34 of the Indian Penal Code and 25(1-B)A, 26, 27, 35 of the Arms Act.

It is alleged that the petitioners resorted to firing while fleeing away from the place of occurrence on the background of dispute with regard to carrying on the fisheries business, when the co-accused Upendra Sharma was caught hold along with country made pistol.

It is submitted by the learned counsel for the

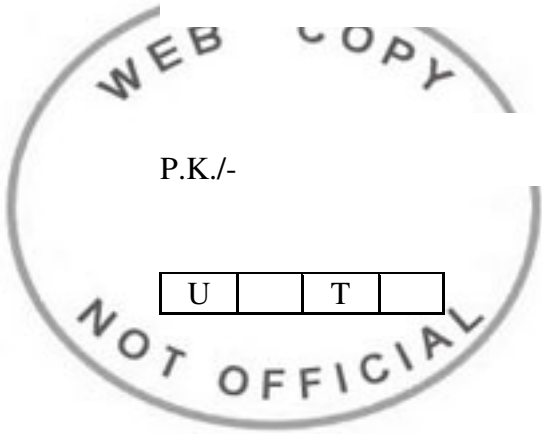


petitioners that the petitioner no. 1 runs the fisheries business which are objected by the informant's side as they used to take extortion for running the business. The petitioners have also lodged a complaint case for the alleged occurrence though subsequent to the lodging of the First Information Report. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent. Admittedly, no injury has been caused to anybody nor any arms have been recovered from the possession of the petitioners.

Considering the aforesaid facts, 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 twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 242 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The bail bond of the petitioners shall be accepted by the learned court below on filing affidavit to the effect that they will cooperate during investigation. The said affidavit will be transmitted to the concerned I.O. The non-cooperation in the investigation will give liberty to the

learned court below to cancel the bail bond of the petitioners.



(Dinesh Kumar Singh, J)