

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33866 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -DANIYAWA District- PATNA

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1. Jagdish Singh son of Late Mishri Singh
 2. Amrendra Singh @ Arbendra Kumar son of Sri Jagdish Singh
- Both resident of village Sikandarpur, P.S. Daniyawan , District Patna.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Agrawal

For the Opposite Party/s : Mr. Lalan Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 31-08-2015

Heard learned counsels for the petitioners,

State and the informant.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 120B/34 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that the petitioners and co-accused Shambhu Singh, Rajnandan Singh caught hold of Satyanand and assaulted him. In the meantime, the minor daughter of the informant came and was standing near the place of occurrence when the firing was resorted to by Shambhu Singh causing injury to the daughter of the informant when co-accused Rajnandan Singh resorted to firing on the informant but the

informant did not receive any injury.

It is submitted by learned counsel for the petitioners that the accusation with regard to the petitioners is omnibus and general when causing firearm injury to the daughter of the informant is against co-accused Shambhu Singh and at earlier point of time petitioners' side lodged Daniyawar P.S. Case No. 37 of 2015.

It is submitted by learned counsel for the informant that petitioner no. 1 has criminal antecedent, though, admits that the accusation is of assault is not specific against the petitioners and causing firearm injury to the daughter of the informant is against co-accused Shambhu Singh.

Considering the above facts, let the learned court below consider the prayer for regular bail of petitioner no. 1 Jagdish Singh, if he surrenders before the learned court below within a period of six weeks from today.

So far as petitioner no. 2 Amrendra Singh @ Arbendra Singh is concerned, since he has no criminal antecedent and there is nothing on record to suggest that Satyanand has received any injury when the firearm injury was caused to the daughter of the informant by co-accused Shambhu Singh, let the above named petitioner no. 2 be released on

anticipatory bail in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, Patna in connection with Daniyawan P.S. Case No. 39 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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