

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42613 of 2015

Arising Out of PS.Case No. -119 Year- 2015 Thana -ARWAL District- JEHANABAD

Dilip Singh S/o Mithilesh Singh @ Manna Singh Resident of Village Motha, Police Station Arwal, District Arwal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Md. Nazir Ansari (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-12-2015 Heard both sides.

The petitioner apprehends his arrest in a case under Section 304 of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that he had gone to the house of the petitioner on the eve of Tilak ceremony. Many villagers were firing in which one Bhagwan Singh, the brother-in-law of the informant, sustained firearm injury in his chest and he died. The informant named Dilip Singh (the petitioner), Raju Singh @ Rahul Singh, Sanjay Sharma and 15-20 other unknown persons in the F.I.R. alleging that they were firing. It is submitted that the informant has not specifically stated that the firing made by the petitioner hit his brother-in-law. There was no intention on the part of any of the persons, who were firing, to kill anyone. Similarly

situated co-accused Raju Singh @ Rahul Singh and Sanjay Sharma have been granted anticipatory bail by a coordinate bench of this Court vide order dated 07.09.2015 passed in Cr. Misc. No. 31760/2015.

Considering the facts aforesaid and the fact that similarly situated co-accused have already been granted anticipatory bail, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal in Arwal P.S. Case No. 119/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

(Prabhat Kumar Jha, J)

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