

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.406 of 2015

Arising Out of PS.Case No. -63 Year- 2001 Thana -KOPA District- SARAN

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1. Sheo Parsan Singh Son of Late Ram Raj Singh
2. Akhilesh Singh@ Akhilesh Kumar Singh Son of Sheo Parsan Singh
3. Kamlesh Singh Son of Sheo Parsan Singh All R/o Vill.- Majhwaliya,
P.O-Kopa, District-Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Anil Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 09-01-2015 Heard both sides.

The petitioners apprehend their arrest in Trial No. 1284 of 2013, arising out of Kopa P.S. Case No. 63 of 2001, registered for the offences punishable under Section 307 and some other Sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant named the petitioners along with other accused persons and alleged that they all came and on the order of Sudarshan Singh, Arun Singh and Akhilesh Singh petitioner no. 2 and Sunil Singh fired. The informant further alleged that on account of firing made by Arun Singh he received one injury on his left leg.

Learned counsel for the petitioners submits that police after investigation, submitted final form finding the case false. The informant, thereafter, filed a complaint petition and after enquiry prima

facie the case was found under Sections 323, 324 of the Indian Penal Code, but the informant preferred Revision Petition where Section 326 of the Indian Penal Code and Section 27 of the Arms Act were added.

Considering the facts that there is no allegation against petitioner no. 1 Sheo Parsan Singh and petitioner no. 3 Kamlesh Singh @ Kamlesh Kumar Singh, they, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Niraj Kishore, the learned Judicial Magistrate, Saran at Chapra in connection with Trial No. 1284 of 2013, arising out of Kopa P.S. Case No. 63 of 2001, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner no. 2 Akhilesh Singh @ Akhilesh Kumar Singh is concerned, there is allegation against him that he also fired, hence, I am not inclined to enlarge petitioner no. 2 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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