

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18223 of 2015

Arising Out of PS.Case No. -153 Year- 2013 Thana -NAWINAGAR District- AURANGABAD

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1. Butan Singh S/o Dukhan Singh
2. Kamlesh Singh @ Kamlesh Kumar S/o Naresh Singh
Both are residents of Village- Baghi, P.S Nabinagar, District- Aurangabad

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Krishna Prasad Singh, Adv.
Mr. Bhaskar Shankar, Adv.

For the Opposite Party : Mr. Rajiv Nayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 10-06-2015 The petitioners apprehend their arrest in relation to Nabinagar P.S. Case No. 153 of 2013 registered under Sections 307 and 326/34 of the Indian Penal Code and Section 27 of Arms Act.

Sri Krishna Prasad Singh, learned senior counsel in support of anticipatory bail application points out that the First Information Report, which was lodged on 02.11.2013 alleges that while the informant was answering nature's call some persons came and fired upon him and ran away. He then informed people on his mobile and he was taken to the hospital for treatment. He then points out that on 07.04.2014 i.e. more than five months later the informant suddenly changes the stand and now he says that

one Dinesh Thakur called him in the night to accompany him to answer nature's call and then he assaulted and others including the petitioners were present. He submits that in fact, the petitioners are agnates of the informant and now only to implicate, they have been named at this stage.

Be that as it may, in the event of their arrest/surrender before the court below within four weeks from today, let the petitioners, namely, Butan Singh and Kamlesh Singh alias Kamlesh Kumar be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Nabinagar P.S. Case No. 153 of 2013, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

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