

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54205 of 2015

Arising Out of PS.Case No. -135 Year- 2015 Thana -NAWINAGAR District- AURANGABAD

1. Chandan Kumar Singh Son of Sita Ram Singh
2. Ashesh Kumar Singh @ Ashish Kumar Singh Son of Nagdeo Singh
.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-11-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506/34 of the Indian Penal Code and section 25(1-B)a of the Arms Act.

It is alleged that the informant being an Auto Rikshaw driver was taken by the petitioners from Nabinagar railway station towards 20 meter away from the railway station road and, thereafter, petitioner no.1 Chandan Kumar Singh threaten and assaulted the informant by 'danda'. It is further alleged that petitioner no.1 put pistol on the chest of the informant. In the meantime, one CRPF personnel rushed and saved the informant.

It is submitted by learned counsel for the petitioners that petitioners are co-villager of the informant and due to previous enmity the accusation has been levelled. In fact, no recovery was made from petitioner no.2. The seizure suggests that recovery was made from petitioner no.1. Moreover, no injury was caused to the informant.

Considering the thrust of accusation against petitioner no.1, let petitioner no.2 (Ashesh Kumar Singh) be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Nabinagar P.S. Case No.135 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

So far as petitioner no.1, Chandan Kumar Singh, is concerned, keeping in view of the nature of accusation and the nature of seizure made, it is a case for consideration of prayer for regular bail. Let the learned Court below consider his prayer for regular bail, if he surrenders within a period of six weeks in connection with Nabinagar P.S. Case No.135 of 2015, pending before the learned CJM, Aurangabad.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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