

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23800 of 2015

Arising Out of PS.Case No. -109 Year- 2014 Thana -AWTARNAGAR District- SARAN

Awadhesh Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302, 120B and 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that five persons came to the litchi orchard of the informant and made indiscriminate firing. The firing resorted by Maheshi Rai hit the brother of the informant Mrityunjay Singh. It is alleged against the petitioner that the petitioner and Laxman Rai conspired for commission of the offence.

It is submitted by learned counsel for the petitioner that from the averment of the informant, it appears that the petitioner was not present on the place of occurrence and specific accusation of firing is against Maheshi Rai.

Considering the aforesaid facts, let the above named petitioner 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 C.J.M., Chapra at Saran in connection with Awtarnagar P.S. Case No. 109 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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