

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30928 of 2014

Arising Out of PS.Case No. -6 Year- 2014 Thana -LAKHISARAI District- LAKHISARAI

1. Shailesh Singh
2. Sanjay Singh
Both are Sons of Ramdeb Singh resident of village- Balgudar, P.S. AND District- Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Manoj Kumar (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-01-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioners apprehend their arrest in connection with Lakhisarai P.S. Case No. 06 of 2014 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 384, 341, 379, 385, 386 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner no. 1 armed with pistol and petitioner no. 2 armed with rifle along with other co-accused came at toll plaza and started assaulting the staffs of toll plaza and snatched rupees nine thousand from Sacchhu Singh of salary and co-accused Kanahiya Singh and Makru Singh demanded rupees

two lacs per month and when the informant opposes the petitioners opened fire.

Submission is that during investigation Sacchhu Singh gave his statement under section 164 Cr.P.C. in which he has stated about the innocence of the petitioners. Other witnesses who have been examined under section 164 Cr.P.C. have also stated about the innocence of the petitioners and accordingly, final form was submitted but the learned Magistrate after differing with the final form, took cognizance.

In the facts and circumstances stated above and considering the fact that final form has been submitted against the petitioners, the petitioners above named, in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 06 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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