

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37765 of 2015

Arising Out of PS.Case No. -59 Year- 2015 Thana -JAGDISHPUR District- BHAGALPUR

- =====
1. Dhananjay Rai Son of Late Bal Krishna Rai
 2. Pintu Rai Son of Late Gopal Rai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Advocate

For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-09-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 447, 307, 120B/34 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that the accused persons came and started quarrelling with the son of the informant when protest being made by the informant on the order of co-accused Poonam Devi petitioner no.2 resorted to fire but it did not hit anyone and thereafter co-accused Shekhar Rai resorted to fire which caused injury on the chest of the son of the informant. It is alleged against petitioner no.1 Dhananjay Rai that when son of the informant received injuries he asked other accused to flee away from the scene as the work has been done.

It is submitted by learned counsel for the petitioners that only firing of co-accused Shekhar Rai caused injury to the son of the

informant and there is no injury from the petitioner no.2, who resorted to fire. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. Moreover, co-accused Poonam Devi has been granted anticipatory bail vide Criminal Miscellaneous No.29535 of 2015.

Considering the aforesaid facts, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Jagdishpur P.S. Case No.59 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted on filing of the affidavit by the petitioners before the learned court below to the effect that they will regularly co-operate in the investigation. Non-cooperation in the investigation by the petitioners will give liberty to the learned court below to cancel the bail bonds of the petitioners.

Ashwini/-

(Dinesh Kumar Singh, J)

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