

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49204 of 2015

Arising Out of PS.Case No. -32 Year- 2015 Thana -KORANSARAI District- BUXAR

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1. Mukesh Kumar S/o Ram Awadesh Singh
2. Lal Bahadur Singh S/o Late Jagdeo Singh Both Resident of village -
Nawadih, P.S. Koran Sarai, District - Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-11-2015 Heard the counsel for the petitioners. No one has
appeared on behalf of the State.

The two petitioners herein apprehend their arrest in
connection with Koran Sarai P.S. case no. 32 of 2015, registered
under Sections 504, 341,323, 147,447 of the IPC and Section 27
of the Arms Act.

Allegation is that when the informant was at his
'darwaja' the petitioner along with others arrived and in order to
scare him opened firing(s) and held out threats.

Contention of the petitioners is that even according
to the First Information Report firing was resorted on 29.4.2015
when the marriage of the informant's daughter was solemnized

which is depicted in the First Information Report. Petitioner no.1 has no criminal antecedent whereas petitioner no.2 is facing trial in a case under Sections 395 and 397 of the IPC.

Considering the allegations and the criminal antecedent of the petitioner no.2, namely, Lal Bahadur Singh, this Court declines to grant the privilege of anticipatory bail. Prayer is rejected.

In so far as the petitioner no.1, namely, Mukesh Kumar, is concerned, in the event of his arrest or surrender in the Court below within a period of four weeks from today, the petitioner no.1 is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of CJM Buxar in connection with Koran Sarai P.S. case no. 32 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the

trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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