

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7098 of 2016

Arising Out of PS.Case No. -621 Year- 2015 Thana -DANAPUR District- PATNA
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1. Manju Devi W/o Late Mahendra Sharma
2. Santosh Kumar Sharma @ Santosh Kumar S/o Late Mahendra Sharma
3. Chhotu Sharma, S/o Late Mahendra Sharma All resident of village-
Turha Toli, P.S.- Danapur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh 1 (App)
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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-02-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307, 504 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that on 03.11.2015 at 10.00 P.M. in the night the neighbour of the informant Manoj Sao entered in his house in intoxicated condition and started abusing and asked to vacate the area otherwise he will be killed. On protest being made at 10.30 P.M. Manoj Sharma, Deepak Sharma, Chhotu Sharma and petitioner no. 2 Santosh Kumar Sharma @ Santosh Kumar came and ordered to fire. When Lotha

Gope, Ganesh Sao, Vivek Rai, and Nripendra Rai resorted to indiscriminate firing. It is specifically alleged that the firing made by Manoj Sharma caused injury to the informant on the left wrist, thereafter Manoj Sharma and petitioner no. 1 Manju Devi order to fire, when Lotha Gope resorted to fire, causing injury to the daughter-in-law of the informant Shanti Devi on her right thigh.

It is submitted by the learned counsel for the petitioners that the specific accusation of firing is against Lotha Gope, Manoj Sharma and others, petitioners are simply a member of unlawful assembly and order giver and petitioners have no criminal antecedent, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Danapur, Patna in connection with Danapur P.S. Case No. 621 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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