

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14038 of 2016

Arising Out of PS.Case No. -899 Year- 2015 Thana -HAJIPUR District- VAISHALI
(HAJIPUR)

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1. Shivji Rai @ Birendra Kumar, Son of Late Narayan Rai.
2. Prakash Kumar, Son of Sri Shivji Rai @ Birendra Rai.
Both are resident of village- Lodipur, P.S.- Town, District-
Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Adv.
For the State : Mr. Fahimuddin (App)
For the Informant : Mr. Devendra Kumar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 20-04-2016 Heard learned counsel for the petitioners,
learned Additional Public Prosecutor for the State and
learned counsel for the informant.

This application, for grant of anticipatory bail,
arises out of Vaishali Town P.S. Case No.899 of 2015,
disclosing offences under Sections 341, 342, 307, 504, 506
and 120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners has



submitted that similarly circumstanced co-accused persons, namely, Sudhir Kumar @ Loha Singh and Vikash Kumar, have been granted regular bail by the learned court below. He has further submitted that though the allegation is of causing injury by fire arm, the injury has been found to be simple in nature. The petitioners have no criminal antecedent except one, against petitioner No.1, as has been indicated in paragraph-3 of the application, which also relates to the dispute connected with the present occurrence.

Learned counsel for the informant, on the other hand, has vehemently opposed the prayer for anticipatory bail and has submitted that since the other co-accused persons have been granted regular bail by the learned court below, these petitioners should also be asked to seek regular bail.

Considering the entire facts and circumstances, this application is allowed. Let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Vaishali**, in connection with **Town P.S. Case No.899 of**

2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners, abovenamed, shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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