

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40969 of 2016

Arising Out of PS.Case No. -99 Year- 2016 Thana -DESARI District- VAISHALI(HAJIPUR)

1. Manindra Singh @ Manindra Nath Singh son of Late Anand Singh
Resident of Village-Sultanpur, Police Station-Desari, District-Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Panchanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 27-09-2016

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Desari P.S. Case No. 99 of 2016, disclosing offences under Sections 147, 148, 149, 342, 323, 307, 353,332,504,120B of the Indian Penal Code and Sections 25 (1-b) (a) 26/35 of the Arms Act.

It transpires from the First Information Report that there was clash between two groups, which had created some kind of tension in the area. The police, thereafter, interceded. Allegation against the petitioner is that he was brandishing his loaded country made gun in order to scare the other side. The persons indulging in rioting were chased, whereafter the said fire arm, allegedly in possession of the petitioner was recovered

and seized.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that there is no allegation against the petitioner of opening fire. He has also submitted that his implication in the case is for ulterior reasons because of dispute between the two groups.

Considering the above, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hazipur in Desari P.S. Case No. 99 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

ArunKumar/-c

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(Chakradhari Sharan Singh, J)