

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31121 of 2016

Arising Out of PS.Case No. -740 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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1. Sunil Singh Son of Ram Naresh Singh resident of Village- Sekhpur, Akharaghat (Wmesh Nagr), P.S.- Ahiyapur, District-Muzaffarpur
 2. Saurav Kumar @ Bholu Son of Arbind Singh
 3. Manoj Singh son of late Krishna Singh Both are resident of village- Sahabazpur, P.S. - Ahiyapur, District- Muzaffarpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Neeraj Kumar alias Sanidh, Advocate
For the State : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 08-08-2016 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offences punishable under sections 147, 149, 341, 323, 307, 504, 506, 383, 385, 447 and 379 of the Indian Penal Code and Section 27 of the Arms Act.

It is contended on behalf of the petitioners that so far the allegation of firing causing injury to the informant is concerned, that is only upon the petitioner no. 2. So far petitioner nos. 1 and 3 are concerned, the allegation is of hitting the informant by the butt of a gun as well as by fists and slaps, however, such injury has not been found in the injury report appended as Annexure 2. It is further submitted that the police has submitted final form finding

absolute lack of evidence against anybody, however, cognizance has been taken by the court. It is also stated that the criminal antecedent of the petitioners is clean.

However, in view of the serious nature of allegation found against the petitioner no. 2, this Court would not be inclined to grant the privilege of the anticipatory bail to him. Accordingly, the prayer of the petitioner no. 2 for grant of anticipatory bail is rejected.

So far petitioner nos. 1 and 3, namely, Sunil Singh and Manoj Singh, are concerned, let them be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Ahiyapur Police Station Case No. 740 of 2015 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Sri Samrendra Gandhi, Judicial Magistrate, Ist Class, Muzaffarpur, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure with a further condition that one of the bailors of these petitioners must be a close relative or family member who shall file affidavit before the concerned court giving complete genealogy to show his / her relationship with them.

However, at the time of furnishing of bail bonds, since there

is allegation of demand of extortion of money, the antecedents of petitioner nos. 1 and 3 must be verified by the court concerned and if they are found involved in any criminal case they will be taken into custody.

(Dr. Ravi Ranjan, J)

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