

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35890 of 2016

Arising Out of PS.Case No. -11 Year- 2000 Thana -ATRI District- GAYA

- =====
1. Madan Singh, Son of Late Ram Khelawan Singh Resident of Village-
Shahjadpur, P.S Atri Distt. Gaya
2. Dhananjay Singh son of Sidhi singh, Resident of Village- Gehlor, P.S
Atri, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Babu Singh
For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 06-09-2016 Heard learned counsels for the petitioners and the

State.

The petitioners have renewed their prayer for
anticipatory bail in a case registered for the offences punishable
under sections 341,324 and 307/34 of the Indian Penal Code and
section 27 of the Arms Act.

The prosecution case is that on the eve of Assembly
Election on 12.2.2000 the petitioners resorted to fire and the firing
made by petitioner no. 1 caused injury on the right thigh of the
informant whereas the firing made by petitioner no. 2 caused
injury on the finger of the informant.

It is submitted by the learned counsel for the

petitioners that anticipatory bail application was rejected by a co-ordinate bench of this Court vide Cr. Misc. No. 7309 of 2000 but subsequently the informant retracted from the initial version and filed compromise petition as a result, the investigation is still pending. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

In view of the fact that the prayer of the petitioners for anticipatory bail was rejected by a co-ordinate bench of this Court, this court is not inclined to interfere in the matter but in view of the retracted version of the informant and the fact that investigation is still pending, it is a case for consideration of the prayer for bail of the petitioners by the learned court below in case the petitioners surrender within six weeks from today in connection with Atri P.S. Case No. 11 of 2000 pending in the court of learned CJM, Gaya.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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