

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43490 of 2016

Arising Out of PS.Case No. -268 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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Divyansu Singh @ Devyansu Kumar Singh, son of Prabhat Kumar Singh,
Residetn of New Shivpuri Bhatta Bazar, P.S. K. Hat Sahayak, District-
Purnia.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ambuj Nayan Chaubey

For the Opposite Party/s : Mr. Jagdhar Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
K. Hat (Sahayak) P.S. Case no. 268 of 2015, registered under Sections
323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the
Arms Act.

The accusation is that on 22.04.2015 at about 4.00 P.M.,
in the evening, informant was playing cricket in the school field. In the
mean time, four persons boarded on two motorcycles came there and
co-accused Jain Raza and Samar Raza took out pistol from waist shot
fire towards the informant, but it did not hit him, anyhow informant
succeeded to flee away from there.

Learned counsel for the petitioner submits that, in fact,
due to ulterior motive, the name of the petitioner has been detailed in

the F.I.R. Further submission is that while the prayer for Anticipatory Bail of the petitioner has already been rejected by this court, but on the basis of compromise between the parties, the bail petition of co-accused, namely, Zain Raja, Samar Raza and Fahad Raja has already been granted by a co-ordinate Bench of this Court vide order dated 11.05.2016 passed in Criminal Miscellaneous No. 11245 of 2016. The petitioner having no criminal antecedent. Further submission is that there is specific allegation against co-accused Zain Raja, Samar Raza, who made firing upon the informant.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea in connection with K. Hat (Sahayak) P.S. Case No. 268 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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