

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5346 of 2016

Arising Out of PS.Case No. -30 Year- 2015 Thana -MAIRWA District- SIWAN

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Munna Singh, son of Rajeshwar Singh, resident of Village- Chhotaka
Manjha, P.S.- Mairwa, District- Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 11-05-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Mairwa P.S. Case No.30 of 2015 for allegedly having
committed the offence under Sections 147, 148, 149, 341, 323,
379, 427, 506 of the Indian Penal Code and Section 27 of the
Arms Act.

Learned counsel for the petitioner submits that though
there is an allegation against the petitioner that he had indulged
in mass scale and indiscriminate firing and had also attacked the
shop of the informant and taken away Rs.70,000/, the F.I.R.
named witnesses have not been examined in the case. Several
other witnesses also came to the place of occurrence after the
occurrence took place. The petitioner further submits that the

present allegation is an outcome of the internal rivalry, particularly since the informant belongs to the MALE party and certain other cases have been lodged against him. It is further submitted that other co-accused persons have already been granted the privilege of anticipatory bail by this Court. It is submitted that though there is indiscriminate firing, not a single empty cartridge has been recovered from the place of occurrence, which in itself casts a cloud on the prosecution story. Furthermore, there is also no injury report of any person, which also seems improbable.

Considering the aforementioned facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan, in connection with Mairwa P.S. Case No.30 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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