

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6054 of 2016

Arising Out of PS.Case No. -908 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Arun Kumar @ Arun Sah son of Late Dev Narayan Sah
2. Aman Kumar @ Aman son of Arun Kumar @ Arun Sah Both residents
of Village - Ram Bhadra, PS - Hajipur Town, District - Vaishali at Hajipur.
..... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 24-02-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Hajipur Town Police Station Case No. 908 of
2015, disclosing offences under Sections 341, 342, 323,
324, 307, 379, 504 and 506/34 of the Indian Penal Code.

Learned Counsel for the petitioners, referring to
the First Information Report, submits that the occurrence
appears to have taken place over a petty dispute when the
children were playing badminton. He submits that even on
the basis of the allegations in the First Information Report,
no offence under Section 307 of the Indian Penal Code can
be said to be made out. It cannot be said that there was
any intention to kill even if the prosecution version is
treated to be true. He also submits that the petitioners
have no criminal antecedents and there is no chance that

they would be tampering with the evidence or flee away in course of investigation.

Considering the aforesaid submission and the fact that the petitioners have no criminal antecedents, this application is allowed.

Let the petitioners, Arun Kumar @ Arun Sah and Aman Kumar @ Aman, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Town Police Station Case No. 908 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the same may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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