

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45307 of 2016

Arising Out of PS.Case No. -247 Year- 2015 Thana -SULTANGANJ District- BHAGALPUR

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1. Golu Mandal
2. Chotu Mandal, Both Sons of Late Raghubir Mandal. Both residents of Chitra Cinema Hall Road, Purani Durga Asthan, P.S.- Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-12-2016 Heard learned counsel for the petitioners and the learned

A.P.P.

This application is for grant of anticipatory bail for the offence under Sections 307 and other Sections of the Indian Penal Code as well as 27 of the Arms Act.

The allegation against the petitioner no.1 is that he is order-giver and so far petitioner no.2 is concerned, he is said to have fired upon the informant but the same did not hit the informant and other than above, there is no allegation against the petitioners.

It has been submitted on behalf of the petitioners that on the face value of the FIR, it appears that no case is made out under



Section 307 of the IPC and the petitioners have been falsely implicated in this case.

Heard learned A.P.P. also, who did not controvert this fact.

Having heard both sides and in view of the facts as stated above as well as considering the facts that the petitioner no.1 is order-giver and petitioner no.2 is said to have fired upon the informant but that did not hit the informant, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of ACJM-I, Bhagalpur in connection with Sultanganj P.S.Case No.247 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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