

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24672 of 2016

Arising Out of PS.Case No. -175 Year- 2015 Thana -SILAO District- NALANDA
(BIHARSHARIFF)

=====

1. Sunil Prasad S/o Mohan Prasad
2. Chandra Shekhar Prasad S/o Kapil Prasad
Both resident of Village - Dularua Bigha, P.S.- Silao, District- Nalanda.
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s
=====

Appearance:

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate.
For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-08-2016 Heard both sides.

The petitioners, namely, Sunil Prasad and Chandra Shekhar Prasad, apprehend their arrest in Silao P.S. Case No. 175/2015 registered under Sections 147, 148, 149, 324, 307 of the Indian Penal Code and Section 27 of the Arms Act.

Chandan Kumar, the informant, alleged that his family and family of his co-sharers were talking with each other. In the meantime, male members of his agnate came and Anil Prasad fired which hit in the abdomen of his sister. It is submitted that the informant did not allege any overt act against the petitioners but the I.O. gave a different story that Anil Prasad and Sunil Prasad (petitioner no. 1) both fired due to which the sister of the informant got injured. No other witness stated that Sunil

Prasad had also fired. The informant is an eye witness of the occurrence and he alleged that only Anil Prasad had fired causing injury to his sister.

Considering the fact that there is no overt act alleged against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in Silao P.S. Case No. 175/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

(Prabhat Kumar Jha, J)

U		T	
---	--	---	--