

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4639 of 2016

Arising Out of PS.Case No. -169 Year- 2014 Thana -CHAINPUR District- BHABHUA (KAIMUR)

- =====
1. Achambhi Sharma Son of Moti Sharma @ Shiv Sharma
 2. Gopi Sharma @ Umesh Sharma son of Late Paras Sharma

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 379, 427, 435,34 of the Indian Penal Code.

Prosecution case is that the informant was going on a Tavera vehicle when the accused person stopped the car, assaulted the informant and snatched gold chain and a bag containing Rs.20,000/- from the informant and his wife. It is alleged against the petitioners that they put the Tavera vehicle of

the informant on fire.

It is submitted by learned counsel for the petitioners that on 05.10.2014 at 8.30 A.M. one Mahindra tractor dashed two persons in course of overtaking by the Tavera vehicle of the informant leading to death of two persons namely Rajeev Kumar and Najir Idrishi when father of the victim (Rajeev Kumar) Jawahar Raut lodged Chainpur P.S. Case No.167/2014 levelling accusation under sections 279/304A of the Indian Penal Code. Other case is also lodged by the police being Chainpur P.S. Case No.168/2014 for the same incident. Both the FIRs were lodged on 05.10.2014 itself whereas the present FIR was registered on 06.10.2014 at 17.00 P.M. for the occurrence of 05.10.2014 at 8.30 A.M. and on conclusion of investigation the case was not found true under section 307 IPC and the charge-sheet was submitted under sections 341, 323, 379, 427, 435/34 of the Indian Penal Code.

Considering the delayed lodging of the case and the case lodged by the victim's father and the police at earlier point of time, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the

like amount each to the satisfaction of the learned CJM, Kaimur
at Bhabua in connection with Chainpur P.S. Case No.169/2014,
subject to the conditions as laid down under Section 438(2)
Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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