

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14754 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -UDWANTNAGAR District-
BHOJPUR

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1. Sheoje Singh @ Shivji Singh, Son of Late Mundrika Singh.

2. Santosh Singh, Son of Sheoje Singh @ Shivji Singh.

Both resident of Village-Sharthua, P.S.-Udwant Nagar,
District-Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aaruni Singh, Adv.

For the Opposite Party/s : Mrs. Indu Bala Pandey (APP)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Udwant Nagar P.S. Case No.57 of 2016,
disclosing offences under Section 307 of the Indian Penal
Code and Section 27 of the Arms Act.

It is submitted on behalf of the petitioners that
the allegation is against co-accused, namely, Satish



Singh, who is said to have opened fire, causing injuries to the mother of the informant and the informant himself. He has submitted that though there is allegation against petitioner No.2 of opening fire with his country made pistol, in order to terrorize general public, there is no allegation that the fire, which he allegedly opened, caused any injury. It has been stated in paragraph 3 of the application that the petitioners have no criminal antecedent. It has also been submitted that petitioner No.1 is a retired Army personnel and petitioner No.2 is serving the Indian Army. In these circumstances, there is no likelihood that they have been fleeing away from the course of investigation or trial, learned counsel contends.

Considering the facts and circumstances of the case and the submissions, so advanced, this application is allowed. Let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Bhojpur, Ara**, in connection with **Udwant Nagar P.S. Case No.57 of 2016**, 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, abovenamed, shall present themselves before the police/Court, as the case 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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