

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21453 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -AMBA District- AURANGABAD

1. Birja Singh Son of Late Jadubansh Singh
2. Tubal Singh Son of Birja Singh
Both residents of Village : Baliya, P.S. Amba, District : Aurangabad.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance:

For the Petitioner/s : Mr. Anil Kumar Sinha
For the Opposite Party/s : Mr. C.Jawahar, APP.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-07-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Learned counsel for the petitioner seeks liberty to
withdraw the application against the petitioner no. 1 as he has
already been taken into custody.

Liberty is granted.

Hence, the case against the petitioner no. 1 stands
dismissed as withdrawn.

The petitioner no.2 is apprehending his arrest in
connection with Aurangabad Amba P. S. Case No. 22 of 2016
registered for the offences punishable under Sections 147, 148,
149, 448, 341, 323, 325, 307, 379, 354, 504 and 506 of the India
Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that there is no specific allegation against the petitioner. The main allegation is against, namely, Deepak Kumar and Raushan Kumar and not against this petitioner.

Learned counsel for the petitioner has also filed supplementary affidavit containing the injury report, which goes to reveal that the injuries are simple, but so far as the petitioner is concerned, the same has not been attributed to him.

Considering the aforementioned facts and circumstances and that the petitioner has got no criminal antecedent, let the petitioner no. 2, in the event of his arrest/surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Amba P.S. Case No. 22 of 2016 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Anjana Mishra, J.)

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