

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26442 of 2016

Arising Out of PS.Case No. -152 Year- 2016 Thana -BARAUNI District- BEGUSARAI

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1. Monu Kumar, Son of Devendra Prasad Singh @ Devendra Kumar Singh.
2. Raushan Kumar, Son of Ram Narayan Kumar. Both Resident of village-
Rajwara, P.S.- Barauni, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-08-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody since
10.04.2016 in connection with Barauni P.S. case No.152 of 2016
for the offences instituted under Sections 341, 323, 387, 307,
379/34 of the IPC and 25(1-b) a, 26, 27 and 35 of the Arms Act.

The prosecution story, in brief, is that on the alleged
date and time of occurrence, the informant was making payment
of cost of milk to the farmers of Pipra Devas Dugh Samiti, in the
meanwhile the accused persons including the petitioners and two
unknown persons, who were on two motorcycles, came and
started snatching money from the informant and when he resisted
then accused Sonu Kumar asked to fire and on his order accused



Monu Kumar fired upon the informant but he escaped and saved his life and thereafter accused Raushan Kumar assaulted by butt of pistol over head of informant, which wounded him and then they snatched Rs.50,000/- and fled away leaving their motorcycle. Then the villagers came and apprehended the accused persons and handed over to the police. The informant claimed to identify the miscreants.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 10.4.2016 and the charge sheet has been submitted in the present case. The petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are said to have fired upon the victim but the same did not hit the victim. From perusal of the injury report, it appears that the nature of injury is simple. Hence, no offence under Section 307 of the I.P.C. is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners above named be released 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 learned Chief

Judicial Magistrate, Begusarai in connection with Barauni P.S.
case No.152 of 2016.

(Sudhir Singh, J)

Narendra/-

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