

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38808 of 2016

Arising Out of PS.Case No. -300 Year- 2015 Thana -MANER District- PATNA

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1. Abhay Kumar Singh Son of Late Laxmi Prasad Singh
 2. Ravi Kumar
 3. Tuntun Kumar Both are sons of Abhay Kumar Singh All are resident of village / Mohalla - Jiwarakhan Tola Byapur, P.S. Maner, District Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 20-09-2016 Supplementary affidavit is filed on behalf of the
petitioners.

Heard learned counsel for the petitioners, learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Petitioners seek bail in a case registered for the
offences punishable under Section 307 and other allied sections of
the Indian Penal Code and Section 27 of the Arms Act.

Altogether 37 persons are named and it is claimed
that all the named accused as well as some unknown persons near
about 75 in number made indiscriminate firing and assaulted the
prosecution party as a result of which three persons sustained
firearm injury whereas others sustained injury, said to be caused

by hard and blunt substance. The alleged occurrence appears to have taken place on account of blockage of a passage.

Petitioners are named in the first information report and the learned Additional Sessions Judge has clearly mentioned in the impugned order that at the time of alleged occurrence petitioners were not carrying firearms in their hands nor they had made any firing. The injury reports, available on the supplementary affidavit, go to show that the injured of this case sustained injuries said to be caused by firearms.

Learned counsel for the informant points out that petitioners as well as other F.I.R. named accused committed similar offence after institution of the present case and, therefore, they do not deserve the privilege of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Danapur in connection with Maner P.S. Case No. 300 of 2015.

(Hemant Kumar Srivastava, J)

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