

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12005 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

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1. Amit Singh @ Amit Kumar, S/o Arjun Singh
2. Saurav Kumar, S/o Sanjeev Singh
3. Mithun Singh @ Mithun Kumar, S/o Late Debu Singh All resident of
Village- Indupur, P.S. Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Md. Fakhruddin (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

4 23-06-2016 Certified copy of the first information report is filed .

Let it be kept on the record.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Barahiya P.S. Case No. 06 of 2016, disclosing offences under
Sections-307/34 of the Indian Penal Code and Section- 25(i-B),A,
26 & 27 of the Arms Act.

Learned counsel for the petitioner has submitted that
this application has become infructuous to the extent it relates to
petitioner Nos. 1 & 3 as they have already surrendered in the court
below during pendency of this application.

Accordingly, this application to the extent, it relates to the petitioner Nos. 1 & 3 stands dismissed being infructuous.

Learned counsel has submitted that there is absolutely no allegation of any overt act against petitioner No. 2 though there is allegation of opening fire against petitioner No. 1, who has already surrendered. It has been stated in paragraph-3 of the application that both criminal cases are pending against the petitioner arise out of the land dispute and in both cases, the petitioner No. 2 is on bail.

Considering the above-said facts and circumstances, this application is allowed.

Let the petitioner No. 2, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Barahiya P.S. Case No. 06 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 petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear

before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

A.K.V./-

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