

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54813 of 2015

Arising out of PS.Case No. -264 Year- 2015 Thana -CHOUTARWA District- WEST
CHAMPARAN(BETTIAH)

Manoranjan Singh, S/o Late Rudal Singh, resident of village - Babuli, Tola
- Bankatwa, P.S. Bagaha, District - West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.6507 of 2016

Arising out of PS.Case No. -264 Year- 2015 Thana -CHOUTARWA District- WEST
CHAMPARAN(BETTIAH)

1. Rajan Mishra.
2. Deepak Mishra @ Deepak Kumar Mishra. Both are S/o- Upendra Mishra,
R/o Village- Babli Tola, Bankatwa, P.S.- Bagaha, District- West
Champaran, Bettiah.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.54813 of 2015)

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate.

For the Opposite Party : Mr. Parmanand Pd.(App)

(In Cr.Misc. No.6507 of 2016)

For the Petitioners : Mr. Krishna Pd. Singh, Sr. Advocate.

For the Opposite Party : Mr. A.Dayal (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-03-2016 Heard learned senior counsel for the petitioners and

learned counsel for the State.

The petitioners are apprehending their arrest in connection with Chautarwa P.S. Case No. 264 of 2015 for the offences instituted under Sections 307, 147, 148, 149, 326, 109 of the IPC and 25(1-B)A, 26, 27 and 35 of the Arms Act.

The prosecution story, in brief, is that on 22.09.2015 at 5.30 A.M., on three motorcycles, petitioners alongwith other co-accused persons came in front of the house of the informant. Petitioner no. 1 ordered to fire and he himself opened fire from his pistol inflicting injury on the chest of the informant. Co-accused Chhotu Rao opened fire then the informant want to rush inside the house and he caught petitioner no. 1 Rajan Mishra then co-accused Manoranjan Singh opened fire causing injury on the back of the informant and petitioner no. 2 Deepak Mishra opened fire causing injury on the left partial region of the informant. Scuffle had also taken place in between the petitioners and the informant. Co-accused Chhotu Rao, Mukesh Tiwari, Amit Tiwari and Raushan Kumar Pandey started indiscriminate firing upon which the villagers reached there and chased co-accused Amit Tiwari and Raushan Kumar Pandey from whose possession pistol was recovered which was produced by son of the informant to the officer-in-charge of the local police station.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. For the same occurrence, two cases were instituted i.e., vide Annexure-3 and vide Annexure-1. Annexure-3 was instituted by the officer-in-charge of the local police station where the petitioners have not been named. Subsequently, later on, Annexure-1 was instituted by the injured who due to inimical terms named the petitioners.

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

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Chautarwa P.S. Case No. 264/2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bagaha, West Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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