

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4301 of 2016

Arising Out of PS.Case No. -13 Year- 2014 Thana -BARHARA District- BHOJPUR

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1. Bans Nayak @ Bans Naik Singh
2. Amitesh Singh @ Amit Singh Both sons of Sri Sarvanand Singh Both
resident of village Barka Lauhar, P.S.- Barhara, in the district of Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioners and the state.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302, 307 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

The prosecution case is that at the instigation of the petitioners, co-accused Dharmendra Singh fired, causing injury to father of the informant who subsequently succumbed to the injuries.

It is submitted by the learned counsel for the petitioners that subsequently after investigation, the petitioners were not sent up for trial and final form was submitted in spite of the protest

being made by the informant. During trial the petitioners have been summoned under Section 319 of the Cr.P.C.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that on investigation of the case the petitioners were not sent up for trial nor cognizance was subsequently taken against the petitioners, let the petitioners in the event of their arrest/surrender within a period of 12 weeks from today be released on anticipatory 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 Ist Additional Sessions Judge, Bhojpur, Ara in connection with Sessions Trial No. 171 of 2014 arising out of Barhara P.S. Case No. 13/2014.

Learned court below will be at liberty to cancel the bail bonds of the petitioners if the petitioners default for two consecutive occasions during trial.

(Dinesh Kumar Singh, J.)

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