

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14128 of 2017

Arising Out of PS.Case No. -94 Year- 2014 Thana -CHANAN District- LAKHISARAI

=====

1. Dasrath Mandal, son of Basudev Mandal
 2. Subodh Mandal, son of Late Ramji Mandal
- Both are residents of Village-Reuta, P.S.-Chanan, District-
Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 30-03-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Chanan
P.S. Case No. 94 of 2014 instituted for the offence under
Section(s) 147, 148, 149, 341, 323, 324, 307, 379 of the Indian
Penal Code and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioners
that there is case and counter case between the parties. In the
counter case, the petitioners and other family members have also
sustained serious injuries for which different cases are pending
between the parties.

It is alleged that petitioner No. 2 caused fire arm
injury to the informant.

Since there is specific allegation against



petitioner no. 2 of causing fire arm injury to the informant, this Court is not inclined to enlarge the petitioner no. 2 on anticipatory bail. The prayer of the petitioner no. 2 for anticipatory bail is accordingly rejected.

The petitioner no. 2 is directed to surrender before the Court below within a period of six weeks from today in connection with Chanan P.S. Case No. 94 of 2014 and seek regular bail, which shall be considered and disposed off on its own merit without being prejudiced by the order of this Court.

So far as petitioner no. 1 is concerned, since there is no allegation of specific overt act against petitioner no. 1, the prayer of petitioner no. 1 for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner no. 1, above named, within six weeks from today in connection with Chanan P.S. Case No. 94 of 2014, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Lakhisarai, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Priya, J)

Shageer/-

U		T	
---	--	---	--

