

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33560 of 2017

Arising Out of PS.Case No. -66 Year- 2012 Thana -SIWAN MUFFASIL District- SIWAN

- =====
1. Maharana Pratap Singh, son of Devendra Kumar Singh
 2. Dhirendra Singh @ Munna Singh, son of Wakil Singh, both residents of village - Shyampur, P.S. - Siwan Muffasil, District - Siwan.
- Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP
Mr. Satyendra Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 06-10-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in Siwan Muffasil
P.S. Case No.66 of 2012 instituted for the offence under
Section(s) 147, 149, 302 Indian Penal Code.

Counsel for the petitioners has submitted that there
is no any specific allegation against these petitioners of causing
fire arm injury to the son of the Informant. Counsel for the
petitioners has further submitted that in para 23 of the case diary
it has come that licensee gun of the Informant was seized and
during FSL examination, as mentioned in para 67 of the case
diary, pellet, which has caused injury to the son of the Informant,
was fired from that gun.



Counsel for Opposite Party No.2 and the learned APP have submitted that witnesses in para 11, 12, 13 have supported the case, but from those paragraphs also after reading by the learned APP, it appears that there is no specific allegation against these petitioners of causing fire arm injury to the son of the Informant.

The doctor has stated in the post mortem report that it may be a case of suicide because such type of injury can only be caused in suicide.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Siwan Muffasil P.S. Case No.66 of 2012**, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Siwan**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without



proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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