

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46740 of 2016

Arising Out of PS.Case No. -191 Year- 2016 Thana -GAYA GRP CASE District- GAYA

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1. Dhananjay Kumar Sharma @ Dhananjay Sharma, Son of Late Amrendra Sharma Resident of Mohalla- Ganga Mahal, P.S.- Kotwali, District- Gaya.
 2. Joginder Sharma @ Jogendra Sharma Son of Ram Jatan Sharma Resident of Mohalla- Kharkhura, Bhaluahi, P.S.- Delha, District- Gaya.
 3. Manish Sharma @ Manish Kumar Son of Siyaram Sharma Resident of New Godown, (Nai Godam), P.S.- Kotwali, District- Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.47853 of 2016

Arising Out of PS.Case No. -191 Year- 2016 Thana -GAYA GRP CASE District- GAYA

- =====
1. Kaushal Kumar
 2. Sanjay Kumar Yadav @ Sanjay Kumar @ Sanjay Yadav
 3. Kamal Yadav @ Kamal Kumar All three are sons of late Mithilesh Yadav and are resident of Mohalla- Chandauti, P.S Rampur, District Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.46740 of 2016)

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

For the Opposite Party : Mr. Kanhaiya Kishore, APP.

(In Cr.Misc. No.47853 of 2016)

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

For the Opposite Party : Mr. Satyendra Narayan Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 09-01-2017 Heard both sides.

The petitioners apprehend their arrest in Gaya Rail



(GRPS Gaya) P.S. Case No. 191 of 2016, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code, Section 27 of the Arms Act and under Sections 145 and 147 of the Railways Act.

The informant, police officer, alleged that owner and staff of two bus company namely Maharani and Jay Mangla Buses entered into scuffle and they also opened fire. The informant named the petitioners along with other accused persons and alleged that they made indiscriminate firing on each other.

Learned counsel for the petitioners submits that three cases were registered firstly the present case i.e. Gaya Rail (GRPS Gaya) P.S. Case No. 191 of 2016 registered by Raj Kumar, the SHO of Rail Police Station, Gaya. Second Gaya Rail (GRPS Gaya) P.S. Case No. 192 of 2016 by Kamal Kumar and Gaya Rail (GRPS Gaya) P.S. Case No. 193 of 2016 by Bijendra Sharma. On same and similar allegation Munnu Sharma @ Monu Sharma has already been granted anticipatory bail vide orders passed in Cr. Misc. No. 52065 of 2016 in the present case by a co-ordinate Bench of this Court. The case of the petitioner stands on the same footing.

Of course, indiscriminate firing was made by the owner and staff of two bus company taking law in their own hands but



since similarly situated co-accused Munnu Sharma @ Monu Sharma has already been enlarged on anticipatory bail, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Railway Judicial Magistrate, Gaya in Gaya Rail (GRPS Gaya) P.S. Case No. 191 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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