

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53705 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -MAKER District- SARAN

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1. Deepak Kumar Ray, Son of Sri Nagendra Rai, resident of Village Badhichak, P.S. Maker District Saran at Chapra.
2. Amit Kumar, Son of Subhash Sharma, Resident of Village Chandula, P.S. Maker District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 10-11-2017 Heard learned counsel for the petitioners and the State.

Petitioners are apprehending arrest in connection with Maker P.S. Case No. 6 of 2017 for an offence under sections 147, 341, 323, 379, 427, 504, 506 and 354 of the Indian Penal Code.

Counsel for the petitioners submits that in fact the case was instituted for an offence under sections 147, 341, 323, 379, 427, 504, 506 and 354 of the Indian Penal Code but the learned Additional Chief Judicial Magistrate-12, Chapra took cognizance for an offence under sections 147, 341, 323, 353, 427, 504 and 506 of the Indian Penal Code. He submits that apart from



section 353 other offences are bailable. He submits that the petitioners have no criminal antecedent and in that view of the matter, the court should consider grant of anticipatory bail.

Considering the fact that in the First Information Report there was no allegation of offence under section 353 and the fact that the petitioners have no criminal antecedent, let the petitioners, named above, be released on bail in the event of arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-12, Saran at Chapra, in connection with Trial no. 2096 of 2017, arising out of Maker P.S. Case No. 6 of 2017, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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