

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55701 of 2016

Arising Out of PS.Case No. -539 Year- 2016 Thana -KOTWALI District- PATNA

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1. Ashok Singh @ Ashok Kumar Singh, S/o Late Inder Kumar Singh,
 2. Manish Kumar Singh alias Mahish Singh, S/o Ashok Kumar Singh,
Both R/o Driver Colony, Birchand Patel Marg, P.S.- Kotwali, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar through the Director General of Police, Government
of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Ganguli

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 09-01-2017 Heard the learned counsel for the petitioners as well
as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences
punishable under section 307 of the I.P.C and section 27 of the
Arms Act.

Allegedly, the petitioners and other FIR named
accused persons started opening fire with the revolver when the
informant and others were protesting the encroachment made by
them.

Submission is of false implication and that no offence
under section 307 of the I.P.C. is made out, no injury has been



caused to the informant, the petitioner no.1 is retired Assistant Police Sub. Inspector and when the mob tried to attack the petitioners and their family members then they opened fire in the air to protect themselves from the licensee government rifle, no offence, as alleged, is made out against the petitioners.

The learned A.P.P. submits that the rifle was recovered along with cartridges.

In the facts and circumstances as stated above, the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M. Patna in Kotwali P.S. Case No. 539 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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