

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13492 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -KUDRA District- BHABHUA (KAIMUR)

- =====
1. Gunjan Kumar, son of Ravindra Sah,
 2. Kalaktor Kumar, Son of Madan Sah.
 3. Rahul Kumar, Son of Ravindra Sah.

All residents of Village- Salathua, Police Station- Kudra, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-05-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kudra P.S. Case No.07 of 2017 registered under Sections 307/34 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that on 07.01.2017 at about 12.00 noon, Najma Khatoon, the daughter of the informant, was engaged in collecting the dung at the door. At that time, the petitioner no.1 Gunjan Kumar alongwith his sister reached there and assaulted the daughter of the informant. Thereafter, on 13.01.2017 at about 01.30 P.M., when the informant was passing over nearby the Shiv Temple, then the petitioners opened fire but, anyhow, he succeeded to flee way.



Learned counsel appearing on behalf of the petitioners submits that while there is allegation against the petitioners that they opened fire at the informant but neither the informant nor anyone sustained firearm injury. Further submission is that it would appear from the order dated 07.02.2017 passed in A.B.P. No.77 of 2017 by the court of the Additional Sessions Judge-I, Kaimur at Bhabua, whereby the prayer of the petitioners for grant of anticipatory bail has been rejected, that no sign of firing was found at the place of the occurrence nor the informant sustained firearm injury.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Kudra P.S. Case No.07 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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