

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3534 of 2017

Arising Out of PS.Case No. -172 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

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Niraj Singh, Son of late Rajeshwar Singh, resident of village- Jakhaur, P.S.-
Birupur, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate.

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-02-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 147, 148, 149, 307 of the
Indian Penal Code and Section 27 of the Arms Act.

It has been submitted that the instant case has been
filed on account of election dispute. The allegation against the
petitioner is that he fired, but no injury was sustained by anybody.
It has further been submitted that no cartridge is alleged to have
been recovered from the place of occurrence. Further submission
is that the co-accused have been granted anticipatory bail by a co-
ordinate Bench of this Court vide order dated 20.12.2016 passed
in Cr. Misc. 51853 of 2016.

From the written report itself, this Court finds that



upon the order of Sanjay Singh who is the husband of the Mukhiya, this petitioner fired with pistol twice on the informant. It is mentioned in the written report itself that no injury was caused to the informant and no cartridge was recovered from the place of occurrence. The petitioner has clean antecedent which is apparent from paragraph-3 of the bail petition.

Considering the facts and circumstances of the case, let the petitioner above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Barahiya P.S. Case No. 172 of 2016, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Lakhisarai, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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