

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43054 of 2017

Arising Out of PS.Case No. -32 Year- 2017 Thana -DARIHAT District- SASARAM (ROHTAS)

- =====
1. Santosh Yadav @ Santosh Kumar Singh, Son of Sri Indradeo Singh, Resident of Village- Sohgi, P.S.- Nasriganj, District- Rohtas.
 2. Vikas Yadav @ Vikas Kumar Singh, Son of Sri Indradeo Singh, Resident of Village- Sohgi, P.S.- Nasriganj, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Sinha
For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-09-2017

Heard the parties.

This application, for grant of anticipatory bail, arises out of Darihat P.S. Case No. 32/2017, disclosing offences under Sections 341, 323, 504, 506, 379, 307/34.

One Raj Kumar Chaudhary, who is co-accused in the present case had lodged Darihat P.S. Case No. 31/2017 on the same day, i.e. 11.05.2017, in which the son of the informant Pawan Kumar is an accused.

The prosecution case, in the present F.I.R., is that the accused persons were demanding money from the informant, who was carrying sand in his tractor to sell it in the market. Allegedly, the accused persons assaulted the informant and



snatched some money from his pocket. It is also alleged that petitioner no. 1 and co-accused Raj Kumar Chaudhary opened fire on the informant which he narrowly escaped.

Learned counsel appearing on behalf of the petitioners has submitted that the informant was illegally carrying the sand in his tractor without having any challan. The petitioners, being employees of Aditya Multi Corporation Pvt. Ltd., were allotted the work of collection of challan from the vehicles, loading sand. Therefore, they had demanded challan from the informant, whereupon the informant had opened fire and assaulted Raj Kumar Chaudhary.

Considering the submission of case and counter case and that no one received any injury, this application is allowed. Let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the **learned Judicial Magistrate 1st Class, Dehri, Rohtas** in connection with **Darihat P.S. Case No. 32/2017**, subject to the condition laid down under Section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners



shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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