IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22527 of 2016
Arising Out of PS.Case No. -152 Year- 2013 Thana -DARIYAPUR District- SARAN

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1. Sanjay Rai @ Sanjay Kumar son of Late Sanjivan Rai, Resident of Village- Sikendra, P.S. Dariyapur, District- Saran (Chhapra)

.... Petitioner

Versus

1. The State of Bihar .... Opposite Party

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Appearance :
For the Petitioner : Mr. Jitendra Narain Sinha, Adv.
For the State : Mr. Amrendra Prasad, APP
For the informant : Mr. Rajendra Kishore Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 19-01-2017 Heard the learned counsel for the petitioner and the State.

This is a petition for grant of anticipatory bail for offence under Sections 147, 148, 149, and 302 of the Indian Penal Code and 25(1-B)a, 26 and 27 of the Arms Act.

According to first information report, about six accused person named therein, including the petitioner, variously armed came and co-accused, Amrendra Rai, caused fire arm injury to the son of the informant, as a result whereof he died.

Submission of the petitioner is that some other first information report named accused person, Bhirgunath Rai, was also allowed anticipatory bail by this Court in Cr. Misc. No. 7030 of 2014 by order, dated 16.04.2014. The allegation against the petitioner is similar to that of Bhirgunath Rai.

His further contention is that petitioner was not sent-up for trial rather has been summoned to face trial in exercise of power under Section 319 of the Criminal Procedure Code.

Learned counsel for the informant opposed the prayer for bail.

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Considering the aforesaid fact, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Dariyapur P.S. Case No. 152 of 2013** (Sessions Trial No. 104A of 2016) to the satisfaction of the **Additional Sessions Judge, II, Saran at Chapra**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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