

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45177 of 2017

Arising Out of PS.Case No. -105 Year- 2017 Thana -SHEKHPURA District- SEKHPURA

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1. Awinash Kumar, son of Rabindra Singh
2. Pintu Kumar, son of Shashi Bhushan Both are resident of Village-
Barma, P.S.- Sheikhpora, District- Sheikhpora.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-09-2017 Heard the parties.

The petitioners seek regular bail in Sheikhpora P.S.
Case No.105 of 2017 registered for the offence under Sections
147, 148, 149, 341, 323, 326, 307 of the I.P.C. and Section 27 of
the Arms Act.

Allegation against the petitioners along with two other
co-accused is of firing upon the informant and earlier prayer for
bail of the petitioners was rejected vide Annexure-1 with
observation that once charge –sheet is submitted in this case, the
court below will peruse the materials available on record and if it
is found that there is allegation of firing against the petitioners
and other co-accused and there is only one injury on the person of



injured, he will release the petitioners on bail to his own satisfaction.

However, it appears that the court below has rejected the prayer for bail of the petitioners as there are two injuries.

Submission of the learned counsel for the petitioners is that there is only one injury and that too simple in nature and further co-accused has been granted bail vide Annexure-6.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, and considering the fact that the allegation is against three persons of firing but only one injury is found which is simple in nature and they are in custody for about three months, let the petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.25,000/- each with two sureties of the like amount each to the satisfaction of C.J.M., Sheikhpura, in Sheikhpura P.S. Case No.105 of 2017 subject to the conditions that (1) one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The petitioners will not induce any witness or tamper with the evidence. (3) The petitioners shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on their part to appear before



the court below on two consecutive dates without showing any genuine reason, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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