

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45085 of 2016

Arising Out of PS.Case No. -47 Year- 2014 Thana -SHEIKHOPUR SARAI District- SEKHPURA
=====

1. Vinay Yadav

2. Chandan Yadav

Both sons of Ram Pravesh Yadav, Resident of Village- Kabirpur, Police Station- Sheikhopur Sarai, District- Sheikhpura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party
=====

Appearance :

For the Petitioners : Mr. Biresh Kumar Sinha, Advocate

For the Opposite Party : Mr. Ajit Kumar (APP)
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-01-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Sheikhopur Sarai P.S. Case No. 47 of 2014 instituted for the offence under Sections 324, 326, 307/34 of the Indian Penal Code and Section 27 of Arms Act.

It is alleged that on the date of occurrence these petitioners along with Rampravesh Yadav and Sunil Yadav made firing from the roof, causing gun shot injury to one Raj Kumar Mahto. The case diary has been produced, wherein the injury report has been mentioned in paragraph-153 of the case diary, in which doctor has found one gun shot injury on the person of the



injured caused by firearm. From para-196 of the case diary, it appears that police after investigation submitted charge-sheet against two accused Ram Pravesh Yadav and Sunil Yadav for the offence under Section 324, 326,307/34 of the Indian Penal Code and Section 27 of the Arms Act, showing both these petitioners have not been sent up. It has been submitted that cognizance has been taken by the court below against these petitioners. In such circumstances, only one gun shot injury has been found on the person of the injured. The petitioners have not been sent up. Hence prayer of the petitioners for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Shekhopur Sarai P.S. Case No. 47 of 2014, they shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sheikhpura, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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