

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.724 of 2017

Arising Out of PS.Case No. -76 Year- 2016 Thana -VISHNUPAD District- GAYA

=====

1. Raju Bhaiya @ Raju Lal Bhaiya,
2. Tinku Bhaiya @ Tinku Lal Bhaiya, Both S/o Damodar Bhaiya, R/o
Mohalla - Karsilli, P.S. - Vishnupad, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mrigendra Pratap Singh, Advocate.

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 25-01-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Vishnupad P.S. Case No. 76 of 2016 registered under Sections
341, 323, 307 and 506/34 of the Indian Penal Code and Section 27
of the Arms Act.

The accusation is that, on 02.07.2016, Dipu Bahiya,
Babua Babiya along with petitioners came near the informant at
Gajadhar Temple, Bodh Gaya and started to cause assault to the
informant through iron rod. When the informant tried to save
himself then Dipu Bahiya opened fire at him through Pistol but
anyhow he succeeded to flee away.

Learned counsel for the petitioners submits that there is



general and omnibus allegation against four accused persons including the petitioners to cause assault to the informant through iron rod with specific allegation against co-accused, Dipu Bahiya, to make fire at the informant but the same was missed. Further submission is that the police on investigation submitted the charge sheet, under Sections 341, 323, 307 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act, against only Dipu Bahiya and Babua Bahiya, showing innocent to the petitioners but the learned Chief Judicial Magistrate, Gaya, took the cognizance against the petitioners also.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the J.M. Ist Class, Gaya, in connection with Vishnupad P.S. Case No. 76 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

