

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26402 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Arun Giri Son of Sri Chandan Giri
2. Rajan Giri son of Sri Virendra Giri Both the Resident of Mohalla- Giri
Tola, Police Station- Pahadpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Gopesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 21-08-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend arrest in connection with
Paharpur P.S. Case No. 7 of 2017 registered under Section 307
and other allied sections of the Indian Penal Code, section 27 of
the Arms Act and section 3/5 of the Public Property Damage Act.

Learned counsel appearing on behalf of the
petitioners submits that petitioner no. 1 was arrested by the police
and petitioner no. 2 was only a member of the mob. Nothing
specific has been alleged against these petitioners. Petitioner no. 2
has no criminal antecedent.

Having considered the facts and circumstances of



the case, let the above named petitioner no.2 be released on bail, in the event of arrest or surrender before the learned Court below within a period of four 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 Chief Judicial Magistrate, Motihari in connection with Paharpur P.S. Case No. 7 of 2017 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

However, considering the nature of allegations levelled and the submissions of the parties, I do not feel inclined to grant the privilege of anticipatory bail to the petitioner no. 1. His prayer for anticipatory bail is, therefore, rejected.

(Arvind Srivastava, J)

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