

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28648 of 2017

Arising Out of PS.Case No. -601 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Abinash Kumar, S/o Amirilal @ Amirilal Gupta,
2. Amirilal @ Amirilal Gupta, S/o Ramanand Sah. Both resident of Gyan
Babu Chowk, P.S.- Motihari Town, District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioners, learned
counsel for the informant and learned counsel appearing on behalf
of the State.

The petitioners are apprehending their arrest in
connection with Motihari Town P.S. Case No. 601 of 2016 for the
offences instituted under Sections 302 & 120B/34 of the Indian
Penal Code and Section 27 of the Arms Act.

There is allegation against the accused a person is that
they surrounded the deceased and co-accused Rohit fired upon the
head of the deceased. The petitioners are said to have threatened
the informant to kill his entire family.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The main allegation is against co-accused Rohit, who is said to have fired upon the deceased. No overt act has been alleged against the petitioners or any injury has been caused by the petitioner upon the deceased.

On behalf of the State and the counsel for the informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Motihari Town P.S. Case No. 601 of 2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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