

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40143 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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1. Anuj Kumar, Son of Birju Sao,
 2. Birju Sao Son of Rajeshwar Sao,
 3. Anup Kumar Son of Birju Sao, All R/o Village- Silad, P.S.- Muffasil,
District- Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-09-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Muffasil P.S. Case no. 99 of 2017, registered under Sections 341, 323, 324, 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that informant along with his uncle Sanjay Kumar Singh was going to his electrical shop boarding on a motorcycle with cash of Rs. 80,000/-. When they reached at the canal then petitioner and one other stopped his motorcycle and petitioner No.2 Birju Sao asked to kill him and made firing snatched the bag containing cash of Rs. 80,000/-. At that time, petitioner No.1 Anuj Kumar caused injury through iron rod and he also caused injury to the uncle of the informant through butt of the pistol.



Learned counsel for the petitioners submits that, in fact, petitioners and informant are co-villagers and due to some dispute occurrence of Marpit took place in which petitioner side also sustained injury regarding which Muffasil P.S. Case No. 98 of 2017, under Sections 341, 323, 379, 504 and 506 was instituted on the basis of the fardbeyan of the petitioner No.2 Birju Sao. Further submission is that the petitioners have no criminal antecedent.

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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M. Aurangabad in connection with Muffasil P.S. Case No. 99 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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