

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 16466 of 2017

Arising Out of PS.Case No. -192 Year- 2016 Thana -GAYA GRP CASE District- GAYA

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1. Subodh Kumar, Son of Uday Narayan Sharma, Resident of Mohalla- AP Colony, P.S.- Rampur, District- Gaya.

2. Shashi Shankar Sharma @ Shashi Shankar, Son of Akhileshwar Sharma, Resident of Mohalla- Nutan Nagar, P.S. Civil Lines, District- Gaya.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 06-07-2017 Heard Sri Shivendra Prasad, learned counsel for the
petitioners and learned Addl. Public Prosecutor.

Two petitioners, who are named as accused in Gaya Rail (GRPS Gaya) P.S. Case No. 192 of 2016 registered for offence under Sections 341, 323, 427, 324, 379 & 307 of the Indian Penal Code and Section 27 of the Arms Act, 1959, have prayed for grant of bail in the event of their arrest or surrender, primarily on the ground that other three co-accused persons, against whom there was serious accusation than the petitioners, have already been extended the privilege of anticipatory bail by order dated 17-10-2016 passed in Cr. Misc. No. 44066 of 2016 (**Annexure – 4** to the petition). He further submits that informant side were aggressor in the occurrence and dispute arose in between the parties regarding parking of the passenger bus. He



submits that police had registered an F.I.R., vide Gaya Rail P.S. Case No. 191 of 2016, on the same date. Besides this, from petitioners' side also, one another F.I.R. was lodged against the informant and other, which too was registered as Gaya Rail P.S. Case No. 193 of 2016.

Learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail.

However, considering the fact that other accused persons have already been extended the privilege of anticipatory bail and there was case & counter case in between the parties, there is no reason to deny the prayer for bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioners namely Subodh Kumar and Shashi Shankar Sharma @ Shashi Shankar be enlarged on 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 Railway Judicial Magistrate, Gaya in connection with Gaya Rail (GRP) P.S. Case No. 192 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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