

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4854 of 2018

Arising Out of PS.Case No. -125 Year- 2017 Thana -NAUGACHIA District- BHAGALPUR

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1. Rajesh Kumar @ Rajesh Kumar Singh,
2. Mithilesh Kumar Singh @ Bablu Singh @ Bablu Both are Sons of Late
Bhagwan Singh, R/o village- Pakra, P.S.- Naugachia, Distt.- Bhagalpur.
.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 17-02-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Naugachia P.S.

Case No. 125 of 2017 instituted for the offence under Sections
341,323,504,307/34 of the IPC and Section 27 of the Arms Act.

As per written report, it is alleged that these petitioners
have assaulted the informant. It is also alleged that petitioner no. 1
fired at the informant from his licensee pistol, but it did not hit
anybody.

Learned counsel for the petitioners has submitted that
there was dispute of dues amount between the informant and these
petitioners. It has been further submitted that prior to this case,
petitioner no. 1 has lodged case against the informant and others.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioners, named above, in the



event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Naugachia P.S. Case No. 125 of 2017 to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Naugachia subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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